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Monopolies inquiry on tour firms

By STEPHEN FARRELL
JOANNA BAILE
AND PAUL DURMAN

THOMSON and Airtours, Britain's largest holiday companies, were yesterday referred to the Monopolies and Mergers Commission as part of an investigation of the entire travel industry that could initiate a wide-ranging shake-up.

The investigation will focus on "vertical integration" — the owning by a few giant companies of their own tour operators, travel agencies and airlines. Thomson owns the Lunn Poly chain of high street travel agents and the charter airline Britannia, and Airtours owns the travel agents Going Places and Airtours. Among the concerns of the

Office of Fair Trading that have led to the investigation are whether agents sell their own holidays in preference to those of other operators or use their dominance of the package-holiday industry to control supply and fix prices.

Thomson owns 700 Lunn Poly stores and controls 20 per cent of the £7 billion overseas market. Airtours has a £1.5 billion annual turnover and takes 2.5 million holidaymakers abroad each year. Thomas Cook sells more than four million holidays from 385 high street outlets.

John Bridgeman, the Director-General of Fair Trading, said he had decided to refer the companies to the MMC after failing to secure undertakings from Thomson and Airtours to operate with greater

openness and ensure that their customers knew of the links between the firms within their groups. He was also concerned about reports that vertically integrated travel agents threatened to remove from display the brochures of smaller independent tour operators unless they agreed to pay high commissions.

If the MMC were to find that leading companies had abused their market power, there are in theory few limits to the changes it could recommend. A commission spokesman said: "There's no limit to what we can recommend. Our recommendations can be as wide as we think necessary." The Department of Trade and Industry, which will be responsible for acting on the commis-

sion's findings, also has few restraints on its powers.

The most extreme option would be to require the holiday companies to sell their travel agents. More likely would be some form of control over the nature of the relationship between the operators and their subsidiaries. These could be backed up by measures to allow smaller holiday firms to gain better access to the leading chains.

The brewing industry provides one of the closest parallels to the allegations faced by the travel industry. In the late 1980s the MMC found that big brewers operated a complex monopoly, allowing them to restrict competition by preventing their tied pubs from selling beers that they did not brew. The MMC

recommended that the national brewers should be ordered to sell 34,000 of their pubs.

Although watered down under industry pressure, the "Beer Orders" that resulted played a key role in the restructuring of the drinks industry over the past seven years. Grand Metropolitan, once one of the largest brewers, sold off its beer and pub interests, while several smaller companies, such as Gretna, decided to concentrate on pubs.

Yesterday Sue Ockwell, chief executive of the Association of Independent Tour Operators, said: "The big companies have a stranglehold on smaller companies — they demand 19 per cent commission from smaller companies to display

their brochures, but only 10 per cent from their in-house companies. This cost is passed on to the customer, which makes independents seem expensive. Customers do not realise this when they walk into a shop."

Last night, Thomson, Airtours, Thomas Cook and AT Mays defended their position, claiming that the consumer gained from cheaper deals. David Crossland, chairman of Airtours, said: "The consumer has benefited from big players like us being able to keep the cost of holidays down by buying aircraft, hotels and cruise ships. This move by the OFT has not come from customers' complaining about prices."

Martin Brackenbury, a director of



"It's amazing to think we all booked through the same travel company."

Babies seized as hostages in Zaire war

BRITAIN refused yesterday to entertain a French plan for a military expedition to northern Zaire and Rwanda where fighting between Tutsis and Hutus is threatening to become a humanitarian disaster. The Prime Minister is to discuss the crisis with President Chirac today, but he indicated last night that

Britain will limit its offer of help to aid. As Sam Kiley explains from the front line in Zaire today an intervention force would protect Hutu extremists who are using thousands of abducted Zaireans, including children and babies, as human shields in their defence of a disease-ridden camp containing more than 500,000 people.

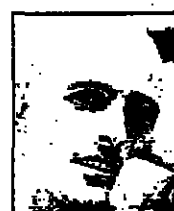
"They took my son and cut me with their machetes"

HUNDREDS of Zairean children are being kidnapped to deter the advance of rebel Tutsis and their Rwandan allies, it emerged yesterday.

The children, many of them toddlers, are being held with thousands of Zairean civilians, herded into the teeming and disease-ridden Mugunga camp of 500,000 people by Hutu militiamen.

In Keshero, a mile from Mugunga, scores of villagers who had lost their children, huddled into a former school compound. Evonist Nkundiyi, the director of the school, estimated that at least a hundred children had been taken hostage over the past week. "Every other village around here has the same story to tell," he said.

Next to him Dominique Ruhondoka, a tall grey-haired man of 70, quietly wept. "My grandson is missing, they've taken him." In 1994 when the Hutu militia murdered a million Tutsis and Hutu moderates at a rate of 37,500 a day, an Italian priest who escaped the slaughter said he feared "all the devils in Hell have



The Hutu militia have adopted a more sinister tactic in their fight against rebel Tutsis. Sam Kiley reports from Keshero in Zaire

come to the surface". The new tactic of taking child hostages indicates that the *Interhamwe* (those who kill together), the extremist Hutu militia, and its leaders have gone one further step in their descent to evil.

Elizabeth Wimana, 30, told of how Rwandan Hutus had sneaked out of Mugunga, crept through the rebel front lines, and raided her home on Monday. "They took all our clothes and food and tried to slice me through the chest. I fell to the ground and they took my son," she said. The four-year-old boy, Philippe, was dragged away screaming while the *Interhamwe* slaughtered Elizabeth's six neighbours with machetes.

France has called for military intervention to avoid a

"humanitarian catastrophe" in Mugunga. It says Western countries who decline to join it in relieving the Hutus inside the camp are "spineless".

For the Rwandan Hutus' latest victims, such an intervention, which would be aimed at getting food aid and medical supplies into the camp, would represent nothing short of a pact with the devil.

Kaihora Kanyoni stood stiffly in the throng of people desperate to tell their stories. He had been stabbed three times in the back of the neck and left for dead by the *Interhamwe* last Saturday. Six members of his family were taken. Suzanne Ndabukunda, 45, stood next to him. Her eight children were taken on Sunday. Adera, a grand-



A Zairean Tutsi mother holds a child at a refugee camp close to the Zaire border

mother who did not know her age, lost her four grandchildren the day before. On the same day the Rwandan Hutu fanatics raided Juma Urumbenshi, 53 — they took his food, clothes, wife and three children. All he has left of his family is fading snapshots.

While the international community engages in shuttle

diplomacy with Zaire's President Mobutu Sese Seko and worries about the Rwandan refugees in Mugunga camp, civilians in Goma moan a constant mantra. "Pai faim," they complain.

The rebel military commander, André Ntandu Kissande, called a unilateral ceasefire this week to allow aid groups to send food into

Mugunga, and begged for help for civilians on his side of the frontline too.

It is not clear how long the ceasefire was likely to last. Light skirmishes earlier yesterday erupted into heavy fighting at dusk between Zaire's rebels and Hutu militia.

French attack, pages 14, 15
Leading article, page 21

Embassy cashier netted fortune in pension scam

By VALERIE ELLIOTT, WHITEHALL EDITOR

A BRITISH Embassy accountant stole hundreds of thousands of pounds by claiming the pensions of dead diplomatic and military staff.

MPs learnt yesterday how Elias Zureik, a Jordanian who had worked at the Amman embassy for 21 years, set up an elaborate fraud to claim the pensions of former British staff based in Jordan. When the pensioners died he pocketed the cash.

In 1988 he was forced to resign for forging a signature. Yet he continued to prise money by writing to the Overseas Pensions Department, based in East Kilbride, pretending to be a pensioner and asking for payments to be made to a new post office box number.

This went on until last year. The catalogue of failures by the Foreign Office, the Ministry of Defence and the Overseas Department of Administration is highlighted by the National Audit Office.

The fraud succeeded because there is no formal

system of death certificates in Jordan. In three cases, pensions were paid for people born in 1897, 1900 and 1903.

Sir John Bourn, the Comptroller and Auditor-General, was particularly alarmed that the Foreign Office had allowed a system whereby one man controlled both the entitlement to pensions and their payment. But as soon as the fraud was exposed, tighter procedures were introduced for all embassies and high commissions. Pensioners must appear in person at the Amman Embassy every year.

Mr Zureik was arrested by the Royal Jordanian Police in September 1995 and appeared in court in February on fraud charges. He was bailed for trial but a hearing last week again delayed his trial. The Foreign Office is suing him in the civil courts to try to recover the cash.

The Foreign Office and the ODA decided it was not practical to prosecute him in Britain because there is no extradition treaty with Jordan.

Football replay

The abandoned match between Estonia and Scotland must be replayed by March 16 next year. Page 48

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Parents deny Brown's business roots

By ANDREW PIERCE
POLITICAL CORRESPONDENT

THE octogenarian parents of Gordon Brown were astonished yesterday to learn that the Shadow Chancellor had cited their high-powered business careers to counter charges that he lacked entrepreneurial experience.

Mr Brown, in an interview to mark the first speech by a Shadow Chancellor at the Confederation of British Industry next week, said that business was in his blood. The declaration was in contrast to his *Who's Who* entry, which lists only academic, journalistic and political activities.

Mr Brown, the son of a Church of Scotland minister, insisted he was brought up in a family that was aware of the difficult decisions business-

men faced. He told the Press Association yesterday that his mother, Elizabeth, was a director of a company of builders and timber merchants for 40 years. "Indeed she was probably, at the stage she became a company director, one of a small number of women who were company directors."

Not so, according to Mrs Brown yesterday. She said from her retirement home in Inverclyde, Aberdeenshire: "It's all a bit embarrassing. I was not a working director at all."

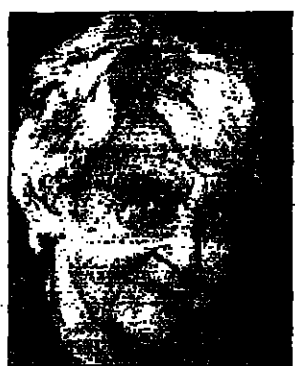
"It was a small family firm. I was not very important. I merely performed some light administrative duties when I was there, which was far from all the time. I went away when I got married. I would hardly have called myself a businesswoman."

Mr Brown also said that he inherited business knowledge from his father, the Rev John Brown, 82. "I was brought up in an atmosphere where I knew exactly what was happening as far as business is concerned. I was aware of all the difficult decisions that businesses had to make."

But Mrs Brown said last night: "No. No. My husband was first and foremost a Church of Scotland minister. He preached for more than 40 years. There was no time for business."

The Shadow Chancellor also revealed that when he left Edinburgh University in 1976 he became a founding director of Mainstream publishing company, which has a £25 million annual turnover.

Peter MacKenzie, a principal of the Edinburgh-based



Elizabeth Brown: no time

company, said: "I would not say Gordon was a founding director. There were only two of those in a tiny office with a typewriter and a bank loan. He was not one of them. He came in later. He was a non-executive director."

Rate rise fears hit share prices

The threat of another interest rate rise hung over the City, causing a hefty fall in share prices. The FT-SE 100 index slipped below 3,900 at one stage, before recovering slightly to close at 3,900.4.

The FT-SE has now fallen over 170 points in the past two weeks since hitting a record high of 4,073 on October 21. The pound also slipped back slightly, closing down 0.2 at 90.9. Page 25

Yeltsin walking

President Yeltsin reassured Russians that he was back in control, as doctors reported that he was now able to walk by himself. He will stay in intensive care for at least one more day but move to the more comfortable Kremlin hospital. Page 12

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Forcible speakers succeeded by loudmouths

When he was a Home Office minister, Sir Peter Lloyd (C. Fareham) never seemed able to shout. British politics badly needs the return of such men.

Watching Commons Questions over the past eight years, I can report that the quality of the exchanges has recently taken a downturn. The standard was never high, but threaded into the weave of histrionics, special pleading, sloganising and name-calling was a consistent — if sometimes unseen — thread.

You could call it integrity, you could call it style, you could call it thoughtfulness or

you could call it class; but, whatever its name, you could recognise it.

You could recognise it when Roy Hattersley was on the Front Bench, his party's spokesman on Home Affairs. As partisan — as cheap, sometimes — as the next MP, you knew his interventions were anchored to personal belief. There was philosophical ballast beneath the wind.

You knew it was there as long as William Whitelaw was Home Secretary. He never said anything interesting but you felt sure he would block anything that was wrong. On the Centre-Left,



MATTHEW PARRIS
POLITICAL SKETCH

from Douglas Hurd or Chris Patten, you could rely on a sort of fastidiousness, as iron-willed as it was elegantly understated. You knew there were things they would not say and would not do.

You could sense it, ill-concealed, behind Gerald Kaufman's superficially insulting style. Few on the Labour front bench could so infuriate the Tories, but his talent to abuse ranged within

margins. The phraseology was immoderate, the ideology careful and humane.

On the Centre-Right you could find reassurance in Home Secretary David Waddington's blend of populist rhetoric and cautious practicality. The late Keith Joseph, you knew, would listen. You could count on Nicholas Ridley's fine contempt for the cheers of the mob. When, too seldom, Labour's Robin Cook

is on his feet, you can still sense it: the rhetoric leaps and dives like a kite, but the string of the kite is securely held.

The political qualities of which I speak are not so much a question of Right or Left, but more a question of seriousness: seriousness about something beyond winning. Opportunism has its place in the Commons, but if anchored to nothing but advantage it drifts into a kind of capriciousness.

The sense of caprice, as I watched the Government and Opposition front benches during Home Affairs Questions yesterday, was unsettling.

There was a creepy feeling of anchorless drift in an angry sea.

Everybody was shouting. A junior minister responsible for the police, David Maclean, seems to have been shouting ever since he got the job. Michael Howard, the Home Secretary, was shouting. His opposite number, Jack Straw, was shouting.

They were shouting about knives, guns, police powers, judges, prisons... everything; but mostly they were shouting about electoral advantage. How soon have former ministers like Sir Peter come to seem out of time, survivors from a distant era.

Home Affairs gave way to Prime Minister's Questions, taken in John Major's absence by Michael Heseltine, and for Labour by John Prescott. They shouted too — Hezza was in roaring form — but survivors themselves from another age, they did not mean it. We could enjoy the Punch and Judy, confident that the hands within the gloves were attached to grown-ups.

All too often now there is no hand, no grown-up. Indeed, no glove. Punch and Judy have taken on a life of their own, and strut and fret on both front benches.

Prisoners in mix-up freed and rearrested

Sixteen high-security prisoners were released from jail and promptly rearrested yesterday because of an administrative error that is causing severe embarrassment to the Irish Government.

Charges against the 16, who include Nessim Qudus, the British escapee, were invalid. The judge, who charged the men had asked to be taken off the list of Special Criminal Court judges. This was done in August, but he was not told and continued hearing cases.

Cure for earache

Five-year-old children who chewed gum containing xylitol, a natural sugar, five times a day had 40 per cent fewer attacks of acute ear infections over a two-month period than children who chewed a gum with sucrose. The study was conducted among 300 Finnish children.

Adams injured

Gerry Adams, 48, the Sinn Féin president, has cancelled public engagements for the next few days after being badly bruised in a car accident in the Irish Republic. He and his driver were treated in hospital. The car, in collision with another vehicle, was a write-off.

Repeat escapes

Three of the six dangerous prisoners who escaped from a coach in north London while being transferred between jails had escaped custody before, it was disclosed yesterday. One, Lee Mitty, was on the run for two years after absconding from Little Hey jail near Cambridge.

£14,000 payout

Frankie Ricketts, 25, won £14,000 in an out-of-court settlement for her unfair dismissal and sexual harassment claims. The industrial tribunal in Croydon, south London, against OCO Heating and Mechanical Engineering of Lewisham, started last March.

Raiders sought

Police are creating a national database of information in an attempt to catch armed burglars who have raided homes of the rich or famous, netting millions of pounds. In the latest attacks, on homes in north London and Dorset, they seized jewellery worth up to £500,000.

Knife ruling

No action will be taken to curb the sale of knives by mail order, the Government announced last night. The Home Office Minister Ann Widdecombe said in a Commons written reply that the control of mail order sales was not considered appropriate.

£2m goes begging

An unclaimed National Lottery prize of more than £2 million will go into the "good causes" kitty if the winner does not identify himself within the next two weeks. The ticket was bought in Hull for the May 25 draw. The winner must claim the prize by 11pm on November 21.

Village ambition

The residents of Milton Abbas, Dorset, hope to raise £250,000 to buy the lake that flooded the original site of their village in 1773. The village was rebuilt after the handover, Lord Milton, extended his estate to create the lake, which is now up for sale.

No change on windfall tax, Brown claims

By ARTHUR LEATHLEY

GORDON BROWN insisted last night that all privatised utilities would face a windfall tax from a Labour government, after the chairman of PowerGen had said his company could be excluded.

Government ministers and industrialists yesterday accused Labour of watering down its plans to raise at least £3 billion by taxing the profits of utility companies, and there were accusations of confusion, after the Shadow Chancellor appeared to contradict suggestions by an aide to Tony Blair that only privatised utilities with a monopoly would have to pay additional taxes on "excessive profits".

Ed Wallis, chairman of PowerGen, claimed that the company would be excluded.

A spokesman for Mr Brown said last night: "In principle, all privatised utilities will be considered for inclusion within the remit of the levy. We would not want to discriminate unfairly." His comment followed a letter from Alastair Campbell, Mr Blair's press secretary, saying that the windfall tax would apply to "the excess profits of the privatised monopoly utilities".

City analysts insisted that very few of the privatised utilities could be described as monopolies, with companies including BT and British Gas now facing competition.

PM attacks French economy on eve of Chirac summit

FROM JILL SHERMAN, CHIEF POLITICAL CORRESPONDENT, IN BORDEAUX

JOHN MAJOR last night delivered a surprising broadside against the state of the French economy as he flew into France for a meeting with President Chirac to spell out Britain's demands for the future of the European Union.

The Prime Minister will tell M Chirac in Bordeaux today that he is prepared to scupper next month's European summit in Dublin if other countries fail to agree to British demands over a number of issues, including the 48-hour week. Yesterday, he embarrassed his host by using a newspaper interview to contrast Britain's economy favourably with that of France.

Hours before an informal dinner with the French leader, Mr Major boasted that the average family in Britain would be better off this year than at the time of the last election, while pointing to high unemployment and industrial unrest in France. "That's why the pulse of Britain is growing stronger. Compare that with what is happening in the rest of Europe," he said in an interview in the London Evening Standard. "Youth unemployment in Britain is 15 per cent but in France it is well over 26 per cent. In Britain we have

seen the number of days lost to strikes fall to the lowest ever. In France many of their public services have been paralysed by the walkouts."

At today's meeting Mr Major will argue that Britain has no intention of accepting a 48-hour week if the European Court of Justice rules against Britain next week, over an EU working-time directive. He will serve warning that Britain will demand a change in the Maastricht treaty rules to ensure that Britain can opt out of the directive.

Mr Major will also resist



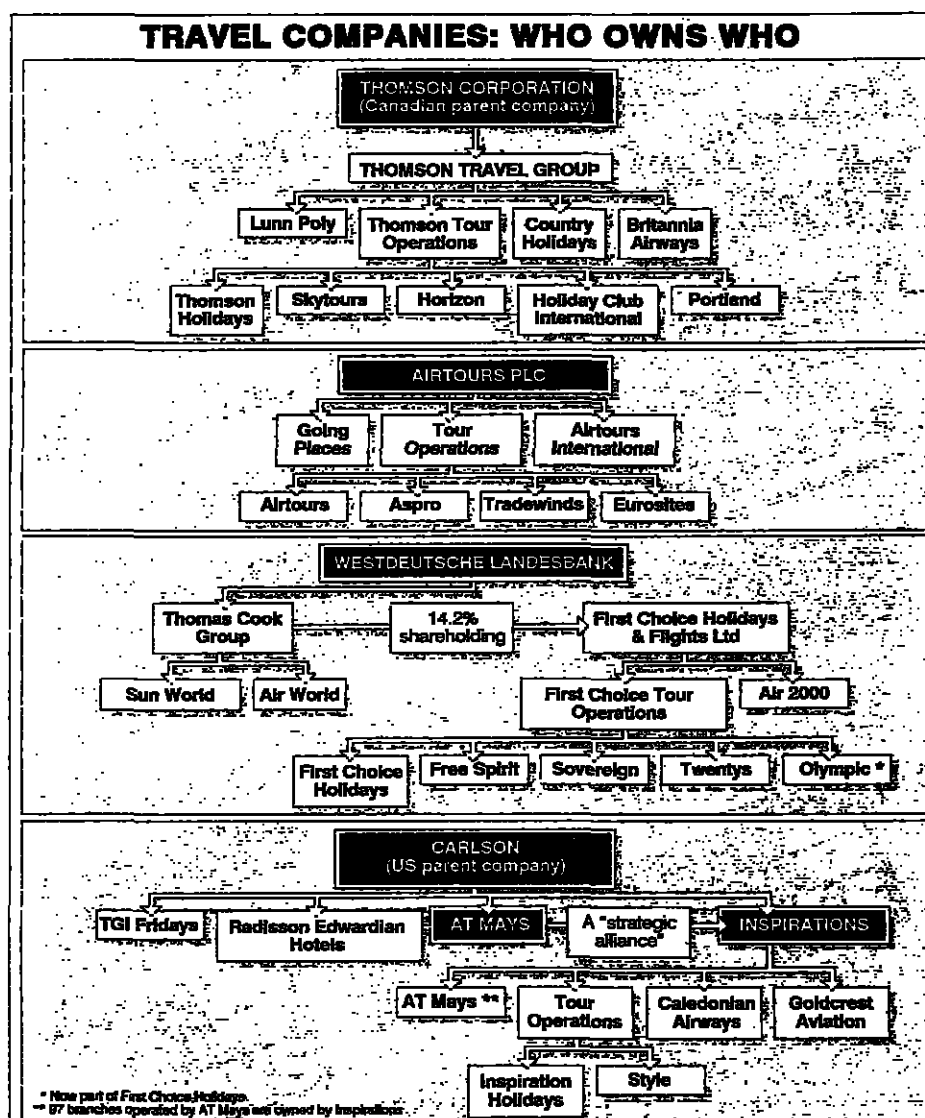
Chirac meets Major in Bordeaux today

moves by France and Germany to weaken the national veto. Paris and Bonn are pressing for a more flexible approach, to allow an inner core of countries to proceed more quickly with political integration. The two countries are now asking for a clause to be inserted into the treaty which would allow sub-groups of member states to move ahead without waiting for a unanimous agreement.

Mr Major is expected to ask for M Chirac's support in his efforts to prevent "quota-hopping" by foreign fishermen. British ministers claim that 20 per cent of the UK fishing quota is now taken up by quota-hoppers — mainly Spanish and Dutch — who buy British licences. Mr Major has given warning that until this is stopped, he will not agree to further cuts in the size of the British fishing fleet.

The summit, which will also be attended by other Cabinet ministers, will also focus on the crisis in Zaire. Closer co-operation against drugs and terrorism will be discussed, and also the Middle East and Bosnia.

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Travel firms insist big is better for the customer

By HARVEY ELLIOTT
TRAVEL CORRESPONDENT

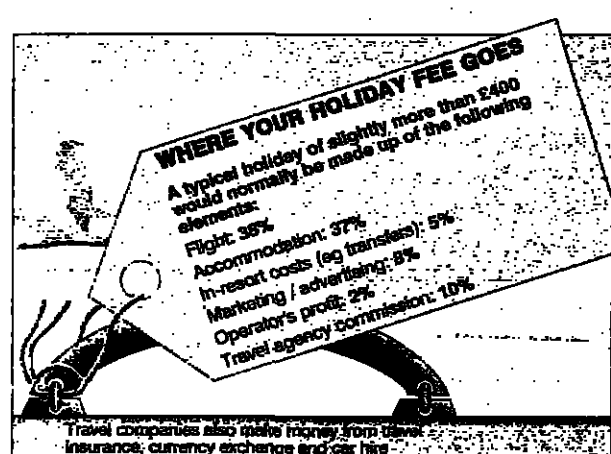
THE five leading British travel companies reacted with disbelief yesterday that the Office of Fair Trading had decided to recommend the referral of the industry to the Monopolies and Mergers Commission.

Last week, at the Association of British Travel Agents' conference in Istanbul, they had listened to detailed figures showing that not only were holidaymakers switching to small tour operators and travel agents, but that the alleged problems of vertical integration caused little or no concern to the public.

In the past year the number of holidays sold by the top five tour operators — Thomson, Air Tours, First Choice, Sun World and Inspirations — fell by 5 per cent from 66 per cent of the total market of about \$5.5 million to 61 per cent. This, they argued, was proof that the individual travel agent and specialist tour operator was not suffering.

More than that, the OFT had received no more than a handful of complaints from the public, they said. The big conglomerates believe there is no case to answer and they are convinced that they have been able to offer the British holidaymaker a better deal and lower price than any other country's travel industry.

The slow move towards vertical integration began in 1972 when Thomson — the biggest tour operator, with a dominant 30 per cent share of the market — bought the Lunn Poly chain of travel agencies.



Since then they have built up to nearly 900 shops in almost every town in Britain. At about the same time Britania Airways, and its fleet of Boeing 767 and 757 jets, became part of the group and carries virtually all Thomson holidaymakers.

The big tour operators say that owning their own travel agency and airline provides much lower prices, by using their marketing clout to gain the lowest possible rates from hoteliers and villa owners. For the small agent or tour operator, however, the dominance of the big five means they are under constant pressure to match their prices — which they cannot do. It is therefore not surprising that they have been lobbying hard for intervention.

Their main argument at the Abta conference last week was that to sell a holiday from a major tour operator in the operator's own travel agency was at best unethical and possibly illegal. Customers

would get biased information and advice, they said.

If a holidaymaker asked for a particular break in a Going Places shop, for example, he was likely to be shown only an Air Tours brochure, because Air Tours owns the 700 Going Places shops. A typical high street travel agent would have between 100 and 150 brochures on display and up to 400 in stock.

The MMC is certain to investigate the linkage of compulsory holiday insurance to particular packages. This can add up to 20 per cent to the cost of a holiday, which is often not made clear in brochures. Last week Abta reached a voluntary agreement with the Advertising Standards Authority to end the hiding of such costs, but the practice still goes on.

Holiday inquiry

Continued from page 1
Thomson, said it had given undertakings to be open about links between companies within the group, but had refused other demands being made by the Office of Fair Trading.

These, he said, included measures to stop Lunn Poly negotiating freely with operators during key periods of the year and an insistence that Thomson Holidays should deal with all retailers on the same basis.

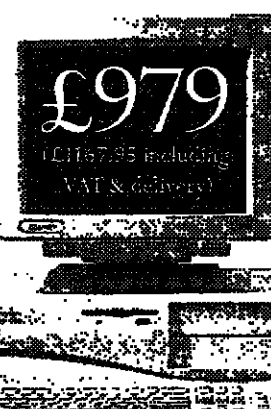
Mr Crossland insisted that Air Tours was not at fault, and blamed Thomson's refusal to give assurances for the referral. "Air Tours was prepared to

looking for," he said. "For the past three years we have had posters in travel agents owned by Air Tours telling customers that we own hotels, cruise ships and aircraft. We also give a good width of choice — more than 70 per cent of our turnover is from non-Air Tours companies."

Mr Bridgeman said: "The two leading travel companies with whom I have had discussions have argued that their practices are a reflection of the competition that prevails in the travel trade. My view is that they can distort the competition process."

The Monopolies and Mergers Commission is expected to

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Two years for pensioner who shot abusive tourists

BY SHIRLEY ENGLISH

A PENSIONER who shot and wounded three abusive young day-trippers near his country cottage on the banks of Loch Lomond was jailed for two years yesterday. One victim nearly died, but the jury decided that Alexander Brown, 67, had acted under provocation.

A court heard that Brown had been plagued for years by drunken troublemakers at scenic Luss, featured on the TV soap opera *High Road*. He went to fetch his air rifle after police had failed to respond to two calls for help. Four months after the shooting, he was elected as a local community councillor.

Passing sentence at Dumfries Sheriff Court, Sheriff Tom Scott said the maximum sentence he

faced was life imprisonment. If it had not been for the provocation, he would have been sent to the High Court for sentence. "You left the scene, you returned to your home and got the gun before going back to use it. You had time to reflect. The message has to go out loud and clear that people who opt to solve their problems with a gun will be dealt with most seriously."

Brown, a retired TV sound recordist, had been disturbed on a Saturday afternoon last August by a group of young men swimming in Luss Water burn, which runs along the foot of his garden. Brown asked them to leave and informed them they were on private property, but said he was showered with abuse and stones. He went to his cottage to telephone the police twice

to complain, but said that an "officious" receptionist told him the local constable was too busy.

He admitted telling her: "I have to protect myself." But he claimed: "I did not mean that I would take the law into my own hands."

Carrying his air rifle, he returned to the burn, where he said that he was again pelted with stones and threatened with remarks such as: "There's that baldy old bastard, let's get him."

He said: "I wanted to persuade them to leave. I felt frightened and vulnerable. I thought if they saw me with a gun, it would frighten them off." He denied that he intended to fire the weapon, but when they continued to mock him, he loaded it with pellets and fired six shots at the rocks beneath them:

"I felt very threatened and very afraid. I cannot explain why they were hit. There may have been ricochets or deflections off trees."

Postman Steward Reid, 21, of Glasgow, was hit in the chest and almost died after a freak reaction to the pellet which shifted his heart to the right side of his chest. The pellet cannot be removed. David Butler, 20, was hit in the elbow, and Alexander Spalding, 18, was hit in the thigh. Both are scarred for life.

Brown admitted that when told of the extent of the men's injuries he was "shocked and very concerned". His solicitor, Gary McAteer, told the court that he had been tormented over a period of years and had reacted after a build-up of frustration with the authorities. "Mr Brown retired to Luss to have a



Brown, right, went to fetch his rifle after police calls failed

peaceful existence. This was interrupted and affected by a series of incidents. He is an old man who was tormented and who reacted when the police were of little

assistance. He bitterly regrets it." Brown was found guilty on four firearms charges, including one of causing severe injury and permanent disfigurement. After the sen-

tence, his distraught wife, Irene, said: "I just don't know how he will cope with prison. It is an enormous worry." One of his victims, David Butler, said: "I expected and hoped he would be jailed, but I think two years is a bit harsh for an old man."

The young men admitted being in high spirits as they swam and dived into a deep rock pool, but Mr Butler said: "I don't accept that we provoked him. We weren't doing any harm. He was the one who came back and got aggressive. Some of us did throw things at him, but that was after he started shooting. We retaliated."

Mr Reid's father, Donald, 55, said: "Jail is the only suitable sentence. He nearly killed my boy. A man that age should know better."

Jailed IRA bomber goes free

BY PAUL WILKINSON

AN IRA bomber jailed for 14 years yesterday for an attack on an Army barracks 22 years ago walked free from court three hours later.

Peter McMullen, an Ulster-born Roman Catholic who deserted from the Parachute Regiment in 1972 to join the Provisionals, had already spent more time in custody — in America and awaiting trial — than he would have served under the sentence.

Judge Myerson, QC, said at York Crown Court that he was prepared to credit McMullen with the time spent in custody because he was satisfied he had "not been playing the system in America."

He had to set against that the fact that one of the bombs in the 1974 attack on the Royal Engineers base at Ripon, North Yorkshire, had been planned where it could have caused loss of life. McMullen was also a deserter.

"In different circumstances the appropriate sentence would be one of 20 years, but given the passage of time, your renunciation of the IRA and all its works, your age now and your ill-health, I pass a sentence of 14 years."

McMullen, 49, who suffers from a back problem, had pleaded guilty to the bombing of Claro Barracks in March 1974 with two other, still unidentified, IRA men. Four explosions caused damage to the Naafi and offices. One person, the Naafi manageress, was slightly injured. No warning was given.

The court was told that McMullen, who was sent to America on IRA business after the bombing and after serving a jail sentence in the Irish Republic for arms offences, had spent more than nine years in detention while fighting extradition. He had returned voluntarily in March.



The three new colours, being modelled yesterday, are lime green, cerise and terracotta. Royal blue, already in existence, is also for sale, for an estimated £20,000 to £30,000

Sale adds a new dash of colour to the racing scene

BY RUSSELL JENKINS

THE rulers of British horseracing are betting that the equine equivalent of personalised number plates will prove a winner with owners.

Three sets of plain racing silks, which have never been available before, are to be auctioned by Sotheby's next week for up to £30,000 each. Plain silks are considered far more desirable than the decorated versions, partly because of their exclusivity.

A successful bid for the new sets

will put their owners among a horseracing elite. Others include the Derby-winning owners Lord de Walden (apricot) and Fahd Salman (dark green). Sheikh Mohammed's highly successful Godolphin team, which sent out the 2,000 Guineas winner Mark of Esteem, races in royal blue. The new colours are lime green, terracotta and cerise.

A winning bid will secure the new owners the right to register the colours with the British Horseracing Board, the sport's governing authority. However, they will also have to

pay an annual rental of about £20 before their chosen jockey can wear them in earnest. This is the first time that the right to register racing colours has been auctioned in public. Previously it was sold through the trade press by sealed bid.

The sale of the "cherished Colours" range also includes a combination of shades not been available before, such as gold and silver. The new colours bring the permitted number of shades to 25.

The Marquess of Hartington, deputy chairman of Sotheby's Hold-

ings and former Senior Steward of the Jockey Club, said: "The single colours are very appealing because there are so few of them. They show up very well, which is a good thing, unless the horse is right at the back. There are a lot of people who want to get into racing and a single colour is an exciting way to start."

Hugo Swire, Sotheby's deputy director in charge of the sale, said that the sale of the colours was only a small part of the proceedings, called The Racing Sale and subtitled A Celebration of the Turf. Also for sale

will be the colours worn by Lester Piggott when he rode Never Say Die to his first Derby victory in 1954.

Ian Little, deputy manager of racing administration at Weatherby's, the secretariat to the British Horseracing Board, said: "There are obviously very few plain colours. All the other combinations are fairly widely available. Plain colours attract more attention and are more exclusive. The last three should cause quite a stir."

Racing, page 45

Coal mine blamed for city tremors

BY SHIRLEY ENGLISH

SCIENTISTS solved the mystery of the Edinburgh earthquakes yesterday, as the city shook for the eightieth time in about a month. The British Geological Survey blamed Monktonhall Colliery, to the east of the city, which has opened a new coalface.

Yesterday's tremor, at 1.46pm, measured 1.2 on the Richter scale and was felt by residents a few miles away. For the past month, seismologists from the survey have been monitoring ground movements in the Newcraighall, Musselburgh and Portobello areas. Yesterday they confirmed suspicions that the earthquakes were caused by collapsing old mineworkings or by the new mineworkings at Monktonhall.

They presented their evidence to colliery management, the Health and Safety Executive, and local and central government. Richard Ord, chief executive of Monktonhall Colliery, said that his staff would study the findings carefully.

Bob Stevenson, HM Principal Inspector of Mines, said: "The mine is doing nothing wrong. It is operating under normal mining practices. But they are currently working in an area where there is considerable old mine workings, overlain with strong rock which, when stress-relieved, causes tremors."

"I would not expect these tremors to result in any danger to property or the public. That is extremely unlikely."

Alice Walker, head of seismic analysis at the British Geological Survey in Edinburgh, said the chipping away of coal had caused movements in the ground around the mine. She expected the tremors to continue until the new coalface moved past whatever it had disturbed, possibly rock structures above.

As of now:

First across the Chann

Tiger and sheep will see lion out of colony

BY DALYA ALBERGE
ARTS CORRESPONDENT

THE people of Hong Kong will have something to remember Chris Patten by when the Governor and the British move out next year. A bronze statue is being made in a Cotswold foundry to mark the end of British rule on July 1, 1997.

The sculpture, by Jon Buck, depicts a figure squatting on the ground with a tiger under one arm and a sheep under the other. It will stand outside the new British consulate-general building, which is being designed by Terry Farrell Associates.

However, neither Mr Patten's office nor the Trade Commission in Hong Kong knew anything about the statue yesterday. "I haven't the faintest idea about it," a spokesman said on being asked about the project. He



Jon Buck and his bronze, destined for Hong Kong

was, however, aware that "a whole raft of items" were being made for the building. A spokesman at the Foreign Office in London said that the bronze was part of its contract and that art worth £120,000 was being commissioned for the building.

The artist explained that Terry Farrell Associates had contacted him and other sculptors to take a portfolio of work to Hong Kong. "My work was chosen for the interior," Mr Buck said.

Rungwe Kingdon, owner of the Pangolin Editions foundry at Chalfield, Gloucestershire, said: "The work is called New

Age, to symbolise the new optimism." Explaining the significance of the tiger and sheep, he said: "They are important animals in the Chinese calendar and mythologically in China."

He added: "The artist didn't want to get political and animals are a safe subject, yet they are symbolic of a new harmonious relationship." The work, which draws on Indian, African and Romanesque imagery, is due to be completed in four weeks, when it will be flown to Hong Kong. It will be there for the opening of the consulate-general building on January 13.

Boy aged 14 set fire to tramp and killed him

BY TIM JONES

A BOY aged 14 who admitted killing a tramp by setting fire to him was sentenced to 3½ years' detention yesterday.

Winchester Crown Court was told that Ian Flanagan was one of a group of 15 youths who had indulged in dreadful conduct towards Alan Whittle. Mr Whittle had been sitting on a park bench in Eastleigh, Hampshire, when Flanagan had set fire to his jacket with a cigarette lighter.

Passing sentence, Mr Justice Ian Kennedy told Flanagan, who was 13 at the time of the offence and who admitted manslaughter, that he was not by nature a wicked boy. "You are thoughtless, a bully, but you are not deeply wicked," Mr Whittle had been "an unhappy man who lived a hopeless life, a sad pathetic life, harming no one except himself".

Sleeping rough in the doorway to fame

BY KATHRYN KNIGHT

A YOUNG man who slept rough on the streets of London may model for Calvin Klein after being spotted by the fashion designer in a book about the capital's homeless.

Until recently Shaun Yates, 25, slept in shop doorways in central London after leaving the Army five years ago and had no idea that agents for the American designer were trying to find him. He was

eventually tracked down to a boxing club in north London where he has recently started training.

Mr Yates's change of fortune started when his photograph was included in a book about the homeless by the photographer Michael Heffernan. At his New York offices, Calvin Klein apparently spotted the picture and the hunt for its subject began. He was discovered only when an advertisement was placed in a national newspaper ask-

ing if anyone knew him. Ron Hagland, his boxing trainer at Islington Boys Club, spotted the small ad and rang Calvin Klein to tell them Mr Yates was one of his amateur welterweights.

Mr Yates, originally from St Helens in Lancashire, was nonchalant yesterday. "I'm just happy to have got off the streets and got my life together. If something comes of this it will be fantastic. I'll just go with the flow and see what happens," he said.



Yates nonchalant

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1

Bags full of books, equipment and sports gear cause back problems, osteopaths warn

Modern schools put heavy load on pupils' shoulders

By DAMIAN WHITWORTH

MODERN education and teenage fashion are storing up back problems for schoolchildren, say osteopaths. They are to examine the problem of pupils bowed down under school bags groaning with books, sports kit and the assorted junk of adolescence.

Gone are the days when children sat at their own desks all day and stacked their ink books and half-eaten sandwiches and apple cores under the flip-up lids. In today's high-tech institutions, pupils are required to drag loads of ten kilograms or more from classroom to science lab to art studio, and then all the way home again.

The National Back Pain Association has set up a working party of ergonomists and osteopaths to examine the trend that has set British children on the same path as their French counterparts. "Much adult back pain can be traced to the poor posture and practices of childhood. Children should not be expected to carry 20-odd pounds of junk around with them all day," said Norma Montague of the association.

"The problem is that schools don't provide lockers. We get a flood of letters every September from parents of children who have started secondary school and are carrying a ton around with them and coming home exhausted and with sore backs and necks."

"The other problem is that they all have these bags that they throw over one shoulder because it's cool to do so. If I was a headmaster I would deduct house points if they didn't use two straps," Ms Montague said. The association also wants chairs and computer desks adjustable for different-sized pupils.

Rucksacks and sports bags, expensive and often associated



French lesson: across the Channel, schoolchildren are taught to buckle up at an early age

with a football team and almost big enough to carry one, are de rigueur. Stanley Gregory of Billings and Edmunds, who have been fitting out schoolchildren since 1898, said: "They have these huge sports bags made by Umbro and Head so that they cram in everything that is humanly possible. They want the fashionable bag to carry all their life around with them. We are very rarely asked for satchels. I haven't sold one for four or five years."

"Briefcases are seen to be old hat as well now, even at the public schools. Some schools are even putting their logo onto these rucksacks and giant kitbags because that's the style the children want." At Cardinal Vaughan Memorial School, one of London's most academically successful comprehensive schools, lockers are provided.

But Dariush Golzarmanesh, 14, said that he still often felt as if he were setting off on an expedition when he went home in the evenings.

"We have to carry our text books around because we need them for our homework," he said. "And then I have computer disks, pencil case, Walkman, rugby kit, PE kit, coat and often my oboe. It's a lot and people complain that it's bad for their backs. Our bags have rope straps that hurt and you tend to lean to one side."

"Some people need two bags. Head, Nike and Umbro bags are the most popular because they look good and are fashionable. If you turned up with a satchel or a briefcase, you would be laughed out of the playground."

Michael Gormally, the deputy head, said that books had got bigger. "When I was at

school my satchel could carry the small textbooks. Now the books are pupil-friendly with large print and big drawings, and pupils study a wider range of subjects. But they also carry a lot of dross around because they are too idle to clear them out."

Jan Price, chairman of the National Confederation of Parent-Teacher Associations, said that lockers were not a solution. "Parents have always been unhappy about storage, but on the other hand they get upset when things are stolen from lockers."

"I know my sons would never leave anything in a locker and they carry it all about with them." He added: "Pupils do less exercise these days and aren't sufficiently fit to carry those loads."

The Education Department said that the issue was one for parents to take up with individual schools. "From correspondence, it appears that the problem is not as severe here as it appears to be in France. We think that if parents are concerned they should have a word with their school about the provision of lockers."

A spokeswoman for the National Union of Teachers, said that she was not aware of the difficulties of overburdened children. The true problem, she insisted, was that "there aren't enough books for them to carry around."

Education, pages 34, 35



Comprehensive contents: Dariush Golzarmanesh, left, and Fabian Maingot, 14

Boy may be moved to end strike at school

By JOHN O'LEARY

A BOY whose behaviour sparked a teachers' strike may be moved to another school against his mother's wishes, under plans to be announced today by Nottinghamshire Education Authority.

Manton Junior School, in Worksop, has been closed for more than a week after staff refused to teach Matthew Wilson, 10. Governors have twice rejected his expulsion. Gillian Shephard, the Education Secretary, demanded to know by the end of the week how the authority proposed to resolve the dispute.

A council spokesman said yesterday that the proposed solution would require agreement from the Government to ward off the possibility of legal action.

CORRECTIONS

□ Lady MacKay did not figure in a photograph (early editions, yesterday) in which her husband, the Lord Chancellor, was pictured, and we apologise for the incorrect caption which said that she did.

□ An article (October 1) wrongly stated that Riverdance producer Moya Doherty said she had sacked Michael Flatley. She did not, and we apologise for the error. □ Tommy Lawton (Obituary, yesterday) is survived by a son and a step-daughter.



Mixed bag: typical contents needed for a contemporary curriculum. Pupils no longer have roomy desks in which they can permanently store their belongings

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THERE'S A GREAT DEAL GOING ON THIS CHRISTMAS

Prince steps out on Silk Road, grandmother at Abbey

THE Prince of Wales climbed the walls of an ancient city on the Silk Road yesterday and voiced his disapproval at restoration work being carried out in the former Soviet republic of Turkmenistan.

On the fourth day of a nine-day tour of new Asian states that once formed the Islamic south of the Soviet Union, the Prince arrived at Merv, now called Mary, where he saw the 12th-century mausoleum of Sultan Sanjar. As he viewed the relic he urged Turkmen scholars engaged in its restoration to use original materials rather than new bricks. He also noticed that some arches had been rebuilt in a Turkish-style V-shape rather than in their original curved pattern.

"I hope you are going to keep as much of the original as possible," the Prince told his hosts.

Potential diplomatic embarrassment was avoided when President Niyazov was dissuaded by British officials from presenting the Prince with the traditional gift of a horse. Instead, the President gave him a carpet — not subject to British quarantine regulations.



The Prince emerges from a yurt, or tent, at a carpet museum, where he was presented with a gift.

QUEEN ELIZABETH the Queen Mother, braving a chill wind and the weight of her 96 years, spent an hour with war veterans yesterday at the Royal British Legion's annual Field of Remembrance ceremony at Westminster Abbey.

Dressed in black and with a large poppy at her lapel, the Queen Mother appeared in good health as she walked the 30 yards from her car to the service and back again, aided by a stick upon which she leaned only lightly. Although wearing what has become a permanent bandage on her left leg, she showed every sign of enjoying the benefits of last year's hip replacement operation.

Her hosts had erected a small lectern on which the Queen Mother placed her commemorative cross, inscribed simply "In Remembrance, 1996". Flanked by the Dean of Westminster, the Very Rev Michael Mayne, and Sara Jones, whose husband won a posthumous VC in the Falklands, the Queen Mother stood unaided for the two minutes' silence.

The Queen Mother then climbed into her chauffeur-

driven, battery-powered golf buggy and spent 40 minutes driving among veterans who had come to plant crosses in memory of dead comrades. An unusual guest at the ceremony was General Ivan Dolnicar, 75, from Slovenia, who in 1944 was a leader of the Yugoslav partisans under Tito to whom Churchill gave Allied support.

Remembrance ceremonies have a poignancy for the Queen Mother far beyond her having been Queen Consort during the Second World War. She lost two brothers in the trenches of the Western Front during the earlier conflict.

Legion officials hope that this weekend's remembrance ceremonies will include an observance of two minutes' silence at 11am on Monday, the anniversary of the eleventh hour of the eleventh day of the eleventh month of 1918, when the guns finally fell silent.

Queen Elizabeth was born in 1900. During her lifetime an estimated 1.1 million British servicemen have died in action, more than 12,000 of them since the end of the Second World War.



The Queen Mother leaving the Field of Remembrance ceremony yesterday

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Kaufman says press watchdog 'like a eunuch'

BY FRANCES GIBB, LEGAL CORRESPONDENT

LORD WAKEHAM, chairman of the Press Complaints Commission, was embroiled in furious exchanges with MPs yesterday when he warned against legal curbs on newspaper payments to trial witnesses.

Gerald Kaufman, chairman of the National Heritage Committee, accused him of sounding "like a eunuch" in putting the case for press self-regulation rather than statutory control. Lord Wakeham, a former Conservative minister, retorted that there was no more "offensive maker of remarks" than Mr Kaufman "and he is not as good as he used to be, because he is getting older".

The Tory MP Sir John Gort asked whether there was not a strong case for legislation — as set out last week by the Lord Chancellor — "rather than to leave matters to the blandishments of the toothless body that you have". Lord Wakeham was ruled out of order by Mr Kaufman as he sought to suggest that Sir John's criticisms stemmed

from a PCC rejection of a complaint he had made.

The heritage committee is inquiring into press activity affecting court cases. The inquiry was launched before the Lord Chancellor's consultation paper last week, which proposed new laws and highlighted four high-profile trials where payments were made.

Lord Wakeham said it would be wrong to take away the principle of a free press for four cases in 40 years — and only one in the past ten years — none of which resulted in a miscarriage of justice.

He said that the press had devised a new, tighter code governing payments to witnesses and that should be given time to work. "If it does not, I shall be the first to say I can't make it work and the Government will have to legislate."

Lord Wakeham added that the defence of acting in the public interest — which is defined in the industry's revised code — would still need definition in statute.

THE TIMES DILLONS FORUM

Life class

A chance to question Stephen Jay Gould



Stephen Jay Gould, one of the most popular and controversial science writers, returns to the evolution battle ground in this Times/Dillon forum on Monday, November 11. Professor Gould will argue that the idea of progress is an illusion. Evolution, he maintains, is not a steady upward advance led by mankind but a rich and unpredictable diversity.

The forum, which marks the publication of *Life's Grandeur: The Spread of Excellence from Plato to Darwin* (Jonathan Cape, £16.99), will be held at the Institute of Education, 20 Bedford Way, London WC1 at 7.30pm. Tickets at £10 (concessions £7.50) which includes £2 off the price of Professor Gould's book, are available by phoning 0171-467 1613, by faxing the coupon below to 0171-467 1690, or by sending the coupon, with your remittance, to Dillons, 62 Gower Street, London WC1E 6EQ, where tickets can also be bought.

THE TIMES / DILLONS FORUM

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New computer system at root of trouble but airport blames airline luggage handlers

BA to compensate passengers for baggage confusion

By ADRIAN LEE

THOUSANDS of British Airways passengers who were separated from their luggage for up to two days, will be eligible for compensation, the airline said yesterday. The total bill for the airline, which had to deliver luggage to hotels all over the world, is expected to run into tens of thousands of pounds.

Baggage handlers were still struggling to clear the backlog yesterday as BA and Heathrow Airport disagreed over the root of the problem. BA said a computer fault caused baggage carousels in Terminal 4 to grind to a halt. Sources at the airport said the new German system, which became operational last Sunday, had already crashed several times.

But a spokesman for Heathrow Airport Ltd blamed airline baggage handlers for failing to deal with luggage.

They were said to be unhappy about new work practices. BA said it would reimburse passengers who had had to buy clothes and toiletries and treat compensation claims sympathetically, but it was impossible to put a figure on the payout.

The airline said 4,000 bags were involved at the height of the backlog and 50 extra staff were brought in to work through Wednesday night. The airline delivered bags to passengers' homes and hotels. Flights to and from all parts of the world had been affected. Many passengers were not aware of a problem until their flights landed without their luggage. Both incoming and outgoing passengers were affected as luggage had to be loaded and unloaded manually by BA workers.

Engineers from Siemens,

the company which made the computer software, were flown from Germany. The new system reads barcodes on luggage labels, then activates the conveyor-belt system to send the bags to aircraft. BA said it was too early to say if it would seek compensation from the manufacturers. The bags were installed in 1986, when Terminal 4 opened, and handle 16,000 bags every day.

"We have traced the fault and hopefully fixed it and the backlog should be cleared by the end of the day," a BA spokesman said yesterday. He described a dispute involving a "small number" of handlers as an insignificant factor in the backlog.

George Ryde, national secretary of the Transport and General Workers Union's civil air transport group, also said baggage handlers were not



Baggage carts, shrouded against rain, waiting to be loaded at Heathrow Airport's Terminal 4 yesterday

responsible for the backlog. There had been no industrial action, he said.

Baggage handling is now a major issue for airports, with Heathrow considered to be lagging behind many of its competitors. Richard

Whitaker, editor of *Airline Business* magazine, said it was crucial that the designers of Terminal 5, currently at the public inquiry stage, got it exactly right. Several months should be allowed for testing problems. "Most airports are

now moving towards an automated baggage system because it is much quicker and more cost effective. The trouble is when something goes wrong there is no one to do it." Older airports faced problems with new systems because

there was insufficient time to test them.

A spokesman for *Holiday Which?*, published by the Consumers' Association, called on British Airways to introduce better contingency plans.

Council to pay £1,000 for noisy neighbour

A WOMAN is to be given £1,000 compensation by her local council because it failed to stop her being tormented by a noisy neighbour.

Stratford-on-Avon council in Warwickshire has agreed to pay the full amount recommended by the ombudsman for "maladministration causing injustice". At first it had contested the amount as "excessive" and offered £150 as a goodwill payment.

The unnamed woman suffered five years of distress caused by her neighbour's barking dogs and loud music played in the early hours. An eviction order finally granted in 1993 was not enforced because the neighbour appealed and made counter-claims that her flat was damp, before eventually accepting a transfer in 1995.

The ombudsman said handling of complaints was bedevilled by poor communication between council departments. Stratford's chief executive Ian Prosser said it had now established written guidelines to prevent mistakes happening again.

Why schizophrenia drug is so prized



MEDICAL BRIEFING

A NEW preparation for the treatment of schizophrenia was the star of the show at the International Prix Galien on Wednesday night in London. The competition is open to pharmaceutical firms from all over the world and is held to honour those who have produced the best new drugs or appliances.

Gerald Malone, the Health Minister, presented the first prize to Janssen Cilag for Risperdal (risperidone). Despite the availability of new drugs for therapy in schizophrenic patients, over 80 per cent of patients in long-term care have not had their routine treatment changed and are still using drugs available for 20 or 30 years.

Risperdal has many advantages over existing therapy. The patients are particularly grateful for its absence of severe and distressing side-effects. This freedom from serious side-effects encourages schizophrenic patients to persevere with their treatment, which is particularly important: persuading them to comply with doctor's orders has always been one of the

problems of treating such patients. This new-found co-operation has been followed by a reduction of 30 per cent in visits to their family doctor, admissions have been cut by 60 per cent and the length of stay in hospital after each admission by 20 per cent.

Risperdal is much more effective than the older drugs at reducing emotional withdrawal, the lack of rapport with other people, loss of spontaneity in conversation and a disengagement of social skills patients suffer. When taking the new therapy a patient's generally apathetic approach to life is improved.

Schizophrenia affects at least 1 per cent of the British population. Unfortunately 50 per cent of sufferers are permanently incapacitated. Risperdal should not only improve the life of the patient, but also the patient's family. Although the drug will be expensive, there will be savings for the NHS in hospital and primary care costs.

DR THOMAS STUTTFORD

Central Africa Frightened children need your help

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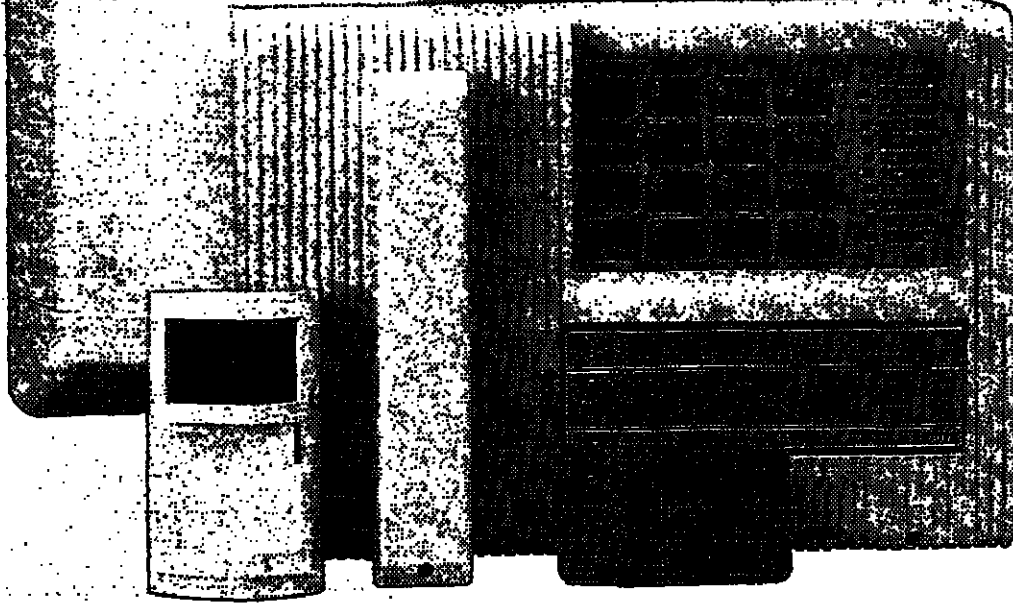
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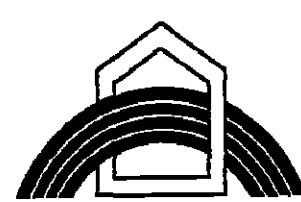
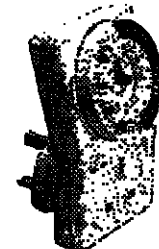
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Judge regrets harsh decision to discount debt of honour to Nepali boy's dead father

Millionaire's 'son' loses court battle against deportation

BY LIN JENKINS

THE millionaire leader of a commune based in a castle was preparing to take his followers into exile yesterday after a court upheld a decision to deport a young Nepali he calls his son.

Jay Khadka, 19, who has been brought up in Britain for the past six years by Richard Morley, has been told he cannot remain here. Mr Justice Laws dismissed a challenge to the Home Secretary's decision to expel him, despite a recommendation by an immigration appeals tribunal that he should be allowed to stay on compassionate grounds.

Mr Khadka was brought up as an English gentleman after Mr Morley took him from a mud-brick hut in the Himalayas as a debt of honour to his father. Twelve years ago, while 17,000ft up in the Annapurna mountains, Mr Morley

suffered a collapsed lung and would have died had a Nepali policeman not trekked 60 miles in three days to summon a helicopter. The man refused a reward, but asked Mr Morley to look after his son should he die, which he did in 1988. Since 1990, Mr Khadka has lived as part of the family that is currently made up of eight members aged between 18 and 43 at Clearwell Castle in the Forest of Dean. Mr Morley says the commune has vowed to stay together and, if Mr Khadka is deported, they will all leave.

After the reserved judgment at the High Court, Mr Khadka said: "I think it is terrible, not just for me but for my family. I am very disappointed. I don't think Mr Howard has seen the compassionate side of this case."

Mr Morley, 42, added: "It is

a sad day for human rights in Britain. I am extremely disappointed and heartbroken. I think Michael Howard has made a dreadful decision and even though the judge says his own opinions don't matter, I think he probably feels likewise."

A spokesman for the Home Office said that it would be in touch with Mr Khadka's solicitor to give him a date by which he should leave. Where the commune will settle has not been decided. However, Mr Morley will see Nepal's Prime Minister, Sher Bahadur Deuba, on Monday to discuss the idea of moving there.

Mr Justice Laws ruled that Mr Howard's decision was within his statutory powers. "I am unable to conclude that the Secretary of State's decision in this case was beyond the

range of responses open to a reasonable decision maker. Many might regard the result he arrived at as harsh."

In a 17-page judgment, he said Mr Howard was entitled to regard Mr Morley's solemn debt of honour as a background matter and to judge

for himself the compassionate merits of Mr Khadka's application against the need of the policy to restrict numbers coming into this country. "His decision was taken as the people's democratic representative. If I were to overturn it I would usurp that role, which

is no business of mine to do." Helen Thomas, 41, a member of the commune, stood in tears holding hands with Mr Morley after the judgment. The judge said she had been a mother figure to Mr Khadka. She said: "I am absolutely devastated. I view him almost

as my own son." She said that all the members of the project would leave the country and live together abroad.

At a later hearing, the judge ordered Mr Khadka to pay the Home Office's legal costs — estimated at around £20,000 — and refused leave to appeal.



Richard Morley and Jay Khadka at the High Court yesterday after the hearing. Leave to appeal was refused

Police to store 200,000 handguns

Police forces must prepare to store 200,000 legal and illegal handguns, chief constables will be told today. Under proposed laws, about 40,000 legally owned 22 handguns would have to be held in secure gun clubs or by the police; few clubs are likely to reach the required standard. Forces will also have to store illegal weapons before they are destroyed. Firearms experts from the Association of Chief Police Officers will discuss the implications of the legislation today.

Suspect's suicide

Glenn Chait, 43, a South African facing extradition on suspicion of murdering Simon Law, 33, an accountant, of Elmsted, Kent, has hanged himself in a Johannesburg prison. Mr Law, whose body has never been found, disappeared in April 1991.

Carnaby St sold

Carnaby Street in London has been sold by its Dutch owners for £90 million. The street's 93 buildings, including shops and studios, have been bought by the Shaftesbury property company, which owns large parts of Covent Garden and Chinatown.

Murder denied

A 13-year-old boy denied murdering Jade Matthews, 9, at Netherthorn, Merseyside, on July 7. Liverpool Crown Court fixed his trial to begin on January 14. Jade disappeared from near her home in Boode 7 and her body was found the next morning on a railway siding.

Securitor theft

A Securitor van was stolen from Brighton town centre after its driver left the keys in the ignition while emptying money from a telephone box. The van was found abandoned three hours later, minus bags of coins collected from other boxes.

Kray trial date

Charles Kray, 70, and two other men accused of involvement in an alleged £78 million cocaine supply ring were sent for trial at Woolwich Crown Court on December 2. Magistrates at Belmarsh, southeast London, rejected a bail application in respect of Kray.

Sale stopped

Chichester council has withdrawn two 18th-century armchairs, valued at £125,000, from an auction in London after a last-minute offer from the Earl of March and Kimbra, a descendant of the 3rd Duke of Richmond who gave them to the city in 1785.

Drink vote drowns out the last dry Sabbath

BY TIM JONES

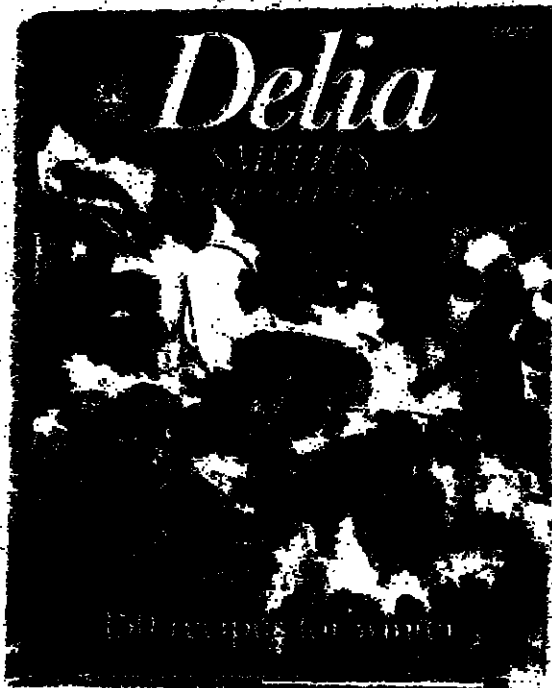
AFTER 115 years of enforced temperance, people in the last "dry" area of Wales will be able to drink in a pub this Sunday. A chapel-led campaign to keep the Welsh Sabbath special was swept aside in the last Welsh referendum on the issue.

Wales became "dry" on Sundays in 1881 after a religious revival. But ever since the question was raised in the early 1960s by the first septennial referendum, every district of Wales gradually became "wet" until only Dwyfor on the Lleyn Peninsula was left.

In the Welsh-speaking Methodist heartland, people argued that Sunday drinking threatened their way of life. But the 24,325 "wet" voters swamped the "dry" vote of 9,529 in a 36 per cent turnout.

David Baird-Murray, chairman of the Seven-Day Opening Council, said: "The result is good for jobs and for the local economy, which relies so heavily on the tourist trade." The Rev Iwan Llewelyn Jones, chairman of the dry campaign, said: "We're disappointed, naturally, but it really was inevitable."

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Church of England urged to scrap medieval courts that parade lurid allegations in media spotlight

Reformers plan secret tribunals for clerical sinners

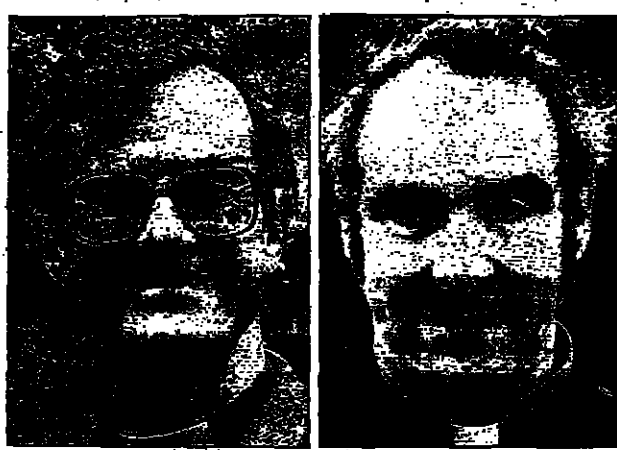
BY RUTH GLEDHILL AND RUSSELL JENKINS

THE Church of England is preparing to replace its 900-year-old open courts for erring clergy with secret tribunals. A report on clerical discipline highlights 'disquiet among senior clergy at the washing of the Church's dirty linen in public'.

Recommendations to go before the General Synod urge abandoning consistory courts that date back to William the Conqueror in favour of tribunals that will publish their decisions but withhold detailed evidence.

The reforms, prompted most recently by the trials of the Dean of Lincoln and the defrocked vicar Thomas Tyler, will give more discretionary powers to bishops within a less rigid and judicial structure. They are likely to provoke criticism that the Church is trying to ensure that lurid allegations of clerical adultery are kept out of newspapers.

Canon Alan Hawker, chairman of the working party that



Brandon Jackson and Thomas Tyler: their long, highly publicised cases cost six figures each

produced the report, denied that was the intention. The concern was that evidence should be too fully and clearly assessed, he said.

The working party's conclusion is that the existing disciplinary procedures have become increasingly unpopular and so there has been a growing reluctance to make use of them. Canon Hawker said: "The procedures are difficult to understand, cumbersome to operate, unduly lengthy and expensive in their use of resources, both human and financial."

The report, *Under Authority*, which is the result of 18 months' consideration, will go before the General Synod later this month. It follows complaints from the Manufacturing, Science and Finance union, whose members include 300 clergy, that the existing system is humiliating and unfair.

Under the proposed tribunals, a formal written complaint of misconduct against a cleric would go first to the bishop. He would instigate an initial review, at which evidence would be taken informally, before deciding whether to refer the case to a Clergy Discipline Tribunal.

This would be organised on a less adversarial basis than the consistory courts, which

neglect of duties because of time and attention given to political activity, would not be a defence against disciplinary charges.

Canon Hawker said it was expected that the tribunals would be swifter, cheaper and simpler and that more cases would be heard. "There are some grounds to suspect that, on occasion, bishops feel it is better to grit their teeth than to use the consistory court, simply because of the amount of time and energy it requires."

A new legal department would help to investigate complaints, lifting the responsibility from the bishops' shoulders. The tribunal would be able to impose punishments ranging from defrocking or suspension from clerical office to a written rebuke or an absolute discharge. Clergy would be able to appeal.

The report suggests that the practice of accepting the resignation of a cleric instead of pursuing disciplinary proceedings should be changed.

It urges reform of the Cautious List, the secret black book containing the names of clerics under suspicion.

The latest cleric to endure a consistory court, which is modelled on a Crown Court but with a diocesan chancellor or lawyer as judge and four lay and ordained "assessors" as jury, was the Dean of Lincoln, Dr Brandon Jackson. He was acquitted of adultery with a former cathedral vergier, Verity Freestone.

The case, which cost nearly £100,000, raised questions about why a criminal-style procedure was needed to try allegations that were not criminal in nature.

Four years earlier, the Rev Tom Tyler was found guilty of adultery at Chichester and went to a second trial and two appeals in his unsuccessful fight to prove his innocence. The total cost to the Church was £300,000, although subsequent tightening of the Church's legal aid procedure means it is unlikely that such costs would be incurred again.

BLACKLIST THAT BREEDS RUMOUR

The reformers are anxious to tackle the issue of the notorious Archbishops' Cautious List, a secret log of convicted and suspected clergy. The list, set up in 1908, is updated every three months and copies are circulated under conditions of strictest secrecy to diocesan and area bishops. It is so confidential that the working party was not allowed to see it.

The first part of the list records those censured under the 1963 Ecclesiastical Jurisdiction Measure. The second part contains names of clergy under pastoral discipline, but inclusion is discretionary. It is a source of anguish among clergy because, in effect, it acts as a blacklist: inclusion puts a block on promotion.

The working party said that the list was a breeding ground for rumour, misunderstanding and feelings of injustice. It was also unevenly administered. Some bishops placed a cleric on the list for being divorced, while others overlooked divorce. If a complaint about a cleric's conduct is made and an initial inquiry finds there is a case to answer, however trivial the complaint, the bishop has no choice but to convene a consistory court.

The reformers want the list to be kept at Lambeth and Bishopsgate and to be updated continuously on a confidential basis. But it wants the overwhelming majority of names to be included only for recognised disciplinary offences recorded "after due process". Clergy should also have the right to know whether their names are on the list and to know the nature of their sins. They should be able to appeal to the tribunal.

Secretive lay movement condemned for causing disunity in parishes

ROMAN CATHOLIC movement approved by the Pope was condemned yesterday in a report which described how its members were "harangued" over their sinfulness.

Parishes infiltrated by the Neo-Catechumenate Way, a rapidly growing, secretive lay body with members in 3,000 parishes worldwide, have suffered division and decline because of the movement's activities, according to the inquiry set up by the Bishop of Clifton, the Right Rev Mervyn Alexander. In January, Bishop Alexander was concerned about complaints from three parishes in Bristol, Gloucester and Cheltenham, that their churches had been harmed by the presence of the movement.

The Neo-Catechumenate Way should not be allowed to recruit further members, according to an inquiry set up by the Bishop of Clifton. Ruth Gledhill reports

founded in 1964 in a Madrid shanty town by the Spanish artist Kiko Arguello.

The inquiry, urging that further recruitment be banned, found that the movement "has not brought new vitality to animate these parishes. Regrettably, the opposite is the case. These parishes lack unity and have declined pastorally." The movement, active in the Clifton diocese for 17 years, "conveys a strong sense of disunity," says the report, which has wider implications for the Roman Catholic Church.

Up to 3,000 lay people are thought to be involved in this country alone. Many priests are also active, although worshippers might be unaware of their involvement, and of the services and meetings taking place for the movement's members within their own parish churches.

The group does have many positive effects. The report describes how 100 representatives of the group claimed that their faith had grown and their outlook had changed. "There is undoubtedly a conversion experience," it says. "In some instances this is more profound than in others, drawing people towards God and the edges of society, as it were: from drugs, prostitution, to name but two facets."

The Neo-Catechumenate Way, which resists description of itself as a sect or a movement, and by its lack of formal association avoids canonical controls with regard to records and finances, is based on a model of the early Church. Arguello, who was later joined by a former nun, Carmen Hernandez, began by rescuing people on the fringes of society. They preach to those who are baptised but want further Christian formation.

Iconographic pictures by Arguello, who is said to have breakfast with the Pope regularly, adorn the walls of meet-

ing rooms, which are usually within existing churches. Music composed by Arguello is used at their services. In the Clifton diocese, the movement has flourished in St Nicholas of Tolentino in Bristol, St Peter in Gloucester and Sacred Heart in Cheltenham.

At one meeting, a husband and wife "made public confession of offences against God and each other at length and in detail". The report describes "an obsession with sin, particularly sexual sin". A GP who was urged to join the group told the inquiry that it "was relying heavily on guilt and there was even a sense of spiritual blackmail".

The report, which is considered and disseminated, does not describe the movement as a sect. But asked by members of the movement to state definitively that it was not a sect, the team refused, saying they "did not regard themselves as sufficiently authoritative".

The inquiry chairman, Tom Millington, a Catholic and a member of the Lord Chancellor's Department with two decades of experience heading public inquiries, produced a report that focused specifically on the three parishes in the Clifton diocese. Mr Millington

said the inquiry examined 280 written submissions and held public meetings for members and non-members.

He said: "People have suffered mental anguish and spiritual anguish in consequence of the Neo-Catechumenate Way." It was the methods used that people found unacceptable. "They harangue. It goes on and on and on." The theme was usually a point of Scripture emphasising sin. But Mr Millington said that it would not have been right to recommend the movement be banned.

"It was suggested to us that they should be banned completely," he said. "We thought this was a harsh and unnecessary way forward. We are Christians and have charitable views towards one another."

CRITICAL TESTIMONY

Mary Whyte, of the Sacred Heart in Cheltenham, one of the parishes investigated by the Bishop of Clifton's team, said that she thought the Neo-Catechumenate Way was "definitely a sect. It is very secret. It has split our parish completely," she said. "Members in our parish have been told never to see their control. They enter arranged marriages and have lots of children."

Simon Beazley, of the same parish, where about 50 members of the 900-strong congregation have joined the movement, said: "We have seen marriages break up, and marriages under tremendous pressure where one partner only belongs. I have been told I am not a Christian because I have not joined them. It has been said time and time again that the only way to become a true Christian is to become a neo-catechumenate."

Gordon Urquhart, whose recent book *The Pope's Armada* looks critically at this and other new movements within the Catholic church, said that the report was "going to be a blow to them, although other cults have weathered similar and worse."

During the investigation into the Neo-Catechumenate Way, one of the fastest-growing lay movements in the world, the inquiry team's chairman, Tom Millington, considered whether the group could be adapted to make it more acceptable to British culture. "Our conclusion is that it is not open to change," he said.

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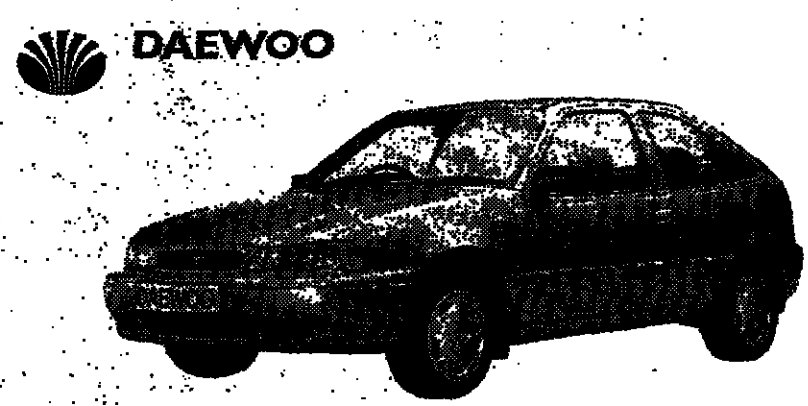
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By ALICE THOMSON, POLITICAL REPORTER

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BY VALERIE ELLIOTT
WHITEHALL EDITOR

But Labour leaders criticised the Government's lack of commitment to freedom of information. Derek Foster,

Ministers also resisted a proposal to convert government agencies into statutory bodies to make the chief executives more independent.

Army honours teenage soldier who held the line

By MICHAEL EVANS
DEFENCE CORRESPONDENT

A **TEENAGE** soldier on his first operational tour abroad found himself the first line of defence for international diplomacy when he came under machinegun fire in Bosnia.

Private Matthew Mitchell, 19, was caught in an ambush at a vital moment as Serb forces tested western resolve at a ceasefire line. It was the first attack on any member of the new Nato-led Implementation Force in Bosnia. He passed the test.

Private Mitchell, a public-school boy from Torquay, Cornwall, turned to face the enemy unflinchingly until the rest of his foot patrol reached him. Then he ran into the open to divert an approaching Land Rover and other Nato vehicles away from the ambush.

Yesterday the young soldier's baptism of fire won him an award for an "exemplary act of gallantry". His citation from the Ministry of Defence said that his actions had a considerable impact, sending an unequivocal message that Implementation Force sol-



Praised: Major Meyer, left, and Private Mitchell

diers were "robustly and prepared to defend themselves". The private, who joined the army at 17, had been sent to northeast Bosnia with his regiment, the 2nd Battalion The Light Infantry. Nato-led forces had taken over from United Nations' troops and tensions were high between former warring factions, despite the Dayton peace accord.

Private Mitchell's foot patrol was at a checkpoint on the ceasefire line near Sanski Most in January this year when the Serbs opened fire.



Yesterday's Mention in Despatches - awarded for operational gallantry - said that Private Mitchell "turned to face the firing point, ignoring his own safety, and returned small arms fire while the remainder of the patrol were able to withdraw to cover".

Private Mitchell, a bachelor, is now serving in Germany. He was among about 100 Service personnel given awards in yesterday's list. The highest award went to Major David Meyer, of the Army Air Corps. He was given the Air

Force Cross for a rescue attempt after a British Spartan armoured vehicle was crippled by an anti-tank mine.

Major Meyer, 34, attached to 845 Naval Air Squadron based at Gornji Vakuf, landed his Sea King helicopter despite a high risk that the downwash from the rotor blades could detonate other mines. Major Meyer, married with two children, had to operate in the dark and in a thickly forested area to reach the vehicle's three crew, who were found to be dead. Trooper Michael Braithwaite, 21, who had been driving a Scimitar armoured vehicle behind the Spartan, was awarded the Queen's Commendation for Bravery for trying to reach the crew through flames.

A Territorial Army member, Corporal Joanne Tamblin, 29, from Ruyard, Staffordshire, was awarded a Queen's Commendation for Valuable Service. She gave up her job as an air hostess with Monarch Airlines to serve with the Adjutant General's Corps as a military clerk in Bosnia, working on "stressful" communication links between the rival factions.



Air hostess serving peace: Corporal Tamblin

Judge rebukes Lilley for not paying benefit

By DOMINIC KENNEDY, SOCIAL AFFAIRS CORRESPONDENT

THE Government might have to pay millions of pounds in benefits to blind or deaf people after a High Court judge ruled that Peter Lilley, the Social Security Secretary, had exceeded his powers by withholding them.

Mr Justice Laws, ruling in favour of Paul Sutherland, 18, a partially blind student at Aberystwyth University, rebuked ministers who breached their constitutional role. He refused leave to appeal and said that the Social Security Secretary had been engaged in "an illegitimate exercise".

Mr Sutherland's mother had won a ruling from an adjudication officer in January 1995 that he was entitled to disability living allowance, now worth £31 a week. That right had been established in an earlier ruling involving a deaf girl. His benefit was withheld while Mr Lilley appealed against the earlier decision.

Mr Lilley lost that case in the Court of Appeal in June 1995 and decided to appeal to the House of Lords, where a hearing is expected next

month. Meanwhile, he has continued to withhold payments from Mr Sutherland, of Swansea, and 50,000 other blind and deaf people.

Mr Lilley was using a provision of the 1987 Social Security (Claims and Payments) Regulations, which the judge yesterday condemned as outside the law. The judge warned ministers: "Where the executive has been allowed by the legislature to make law, it must abide strictly by the terms of its delegated authority."

David Thomas, lawyer for the Child Poverty Action Group, which represented Mr Sutherland, who is owed £2,000, said: "This regulation is not now available to the Secretary of State in future cases where he is unhappy with a court ruling in a particular case."

"It always seemed to us quite wrong that claimants should be denied ongoing benefit, to which they have a legal entitlement, just because a court in another case might at some time in the future interpret the law differently."

Ronay puts the knife into Christmas cakes

MOB shop-bought Christmas cakes are little better than turn-up teacakes, says the food critic Egon Ronay. In a blindtasting of supermarket cakes Mr Ronay found only one which earned his wholehearted approval: the Co-op's Luxur Christmas Cake at £9.49 for 1.36 kg, "the only rich cake which spells Christmas".

He says Harrods' was too sweet; Sainsbury's had rubbery icing and Asda's was dry. Tesco's "inferior" Luxur Royal led Christmas Cake earned lowest marks. Promotions include: Harrods: grilled marinated vegetables £2.49 for 100g; spiced beef £1.09 for 100g; chicken tikka masala £2.49 for 100g; biryani rice 79p for 100g; Negrone's salmon £18.99; Iceland: quarter-pounders £1.99 for eight; duck breasts in cherry sauce £2.99 for 450g; smoked mackerel fillets £2.69 for 68g; 9in ham and pineapple stonebake pizza £1.69; deep-fried chicken and asparagus pie £1.99 for 680g; Marks & Spencer: chicken breast fillets £3.99 for ten; beef stew and dumplings £2.49 for 454g; steak au poivre £4.99 for 390g; take in bread crumbs 99p for 227g; extra large sausages £1.99 a net; Morrisons: brislets of beef £1.55 lb; pork chops £1.39 lb.

(£1.99 boneless rump steak £2.99 lb; salmon steaks £1.99 lb; Royal Gala apples 39p lb; green seedling grapes 49p lb; Sainsbury's: boneless steak £6.49 kg; chicken Kiev £1.69 for 284g; frankfurters 99p for 350g; prawns £4.79 for 2X 450g; chicken korma £1.99 for 340g; Conference pears 39p lb; pineapples 19p each; Sainsbury's: beef rump £5.78 kg; pork boneless shoulder joint £2.89 kg; whole trout £2.65 for two; English mature cheddar £5.09 kg; cauliflower 39p each; white seedling grapes 59p lb; Sainsbury's: boneless rolled pork loin £3.00 kg; lamb chops £2.99 for 450g; salmon steaks £2.99 for 450g; salmon steaks £2.99 for 450g; salmon steaks £2.99 for 450g; Christmas pudding £1.45 for 454g; Tesco: rump steak £2.99 kg; half leg of lamb £5.39 kg; baking potatoes 99p for 2.5kg; large avocados 99p each; asparagus 99p lb; chestnuts 99p lb; small Valencia oranges 15p each; Waitrose: chicken drumsticks £1.99 for ten; free-range eggs 89p for six; Brussels sprouts 49p for 300g; large baking potatoes £1.69 for 3kg; chestnuts £1.19 lb; black Napoleon grapes 69p lb.

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Blow to rivals as Yeltsin quick to get back on his feet

FROM RICHARD BEESTON IN MOSCOW

PRESIDENT YELTSIN reassured Russians yesterday that he was back in control of the country, as doctors reported that he was now able to walk by himself.

"Dear Russians, I am happy to inform you that the operation was successful," he said in a statement released by the Kremlin. "I am back at work again." Although he will remain in intensive care for at least one more day, he may be moved to the more comfortable surroundings of the nearby Kremlin hospital if doctors are satisfied that there are no complications after his heart bypass operation.

Certainly, the operation did not appear to dampen the Russian leader's eagerness to get back into the political fray and he moved quickly to take on his hardline opponents as they marched in their thousands to celebrate the 79th anniversary of the Bolshevik Revolution. In a move bound

to infuriate his Communist rivals, the President signed a decree officially changing the traditional "Revolution Day" holiday into a "Day of Concord and Reconciliation". Communist symbols, which still remain across Russia, will be replaced by monuments to the millions of victims of Soviet rule.

"To this day our people are divided into reds and whites," said the Kremlin leader in a written address. "It is time to close the book. We have one Russia and we must be united."

His calls for reconciliation won little sympathy with the hardline Communist demonstrators who turned out in their tens of thousands across Russia's main cities, and even the former Soviet republics of Belarus and Ukraine, to mourn the collapse of the communism. In Moscow about 20,000 mainly elderly marchers, many clutching red

flags or posters of Lenin and Stalin, called for Mr Yeltsin's removal and the restoration of the Soviet empire.

Gennadi Zyuganov, the Communist Party leader, said the present administration would lead the country to chaos or dictatorship. "The country is on the brink of an abyss," said the ruddy-faced Communist leader as he was cheered by crowds outside the Bolshoi Theatre.

The opposition has so far failed to capitalise on Mr Yeltsin's prolonged absence from office and they may now have missed their chance. Michael DeBakey, the pioneering American heart surgeon who is part of the medical team attending Mr Yeltsin, said that the Kremlin leader "was out of the woods" and could be expected to make a full recovery within the coming weeks. "You are going to see a vigorous leader," he predicted.



Communists carry portraits of Lenin and Soviet-era flags past a Moscow advertisement as they march to mark the 79th anniversary of the Bolshevik Revolution

No early relief for space crew

BY NIGEL HAWKES, SCIENCE EDITOR

STUCK in space with toilets close to overflowing, the Russian-American team aboard the Mir space station were yesterday given the bad news that it will be at least February before they can return to Earth.

A cash shortage means that a replacement crew of two Russians and a German cannot now be launched in the middle of next month, as originally intended. Officials at mission control outside Moscow said the financial problems had delayed production of the Soyuz booster rockets needed to launch a replacement crew.

The news may not have come as much of a surprise to John Blaha, the American on board, and Valery Korzun and Aleksandr Koltov, his Russian colleagues, who have been on board the ten-year-old Mir since September 19. Last month the launch of an unmanned craft that was intended to bring them food, water and fuel was put off because of the cash crisis.

Mir has never been noted for its creature comforts, but this mission is going slightly less well than usual. The

problem with the disposal of effluent has been caused by the failure of the device that usually recycles it into the cooling system, and all the reserve containers are now nearly full, the Interfax news agency said.

New waste containers were to have been launched last month, but the mission has been delayed until after the middle of this month, there should be a pump to transfer the waste into the cooling system, but the crew has been unable to find it, the agency quoted an unidentified source as saying.

□ Mars missions: The first of a trio of satellites bound for Mars left the launch pad at Cape Canaveral yesterday at the start of its ten-month journey. *Mars Global Surveyor*, delayed for a day by bad weather, was launched successfully soon after noon local time. It should reach Mars next September. After six months of getting into the correct orbit, it will begin mapping the Martian surface. It will be followed in turn by the Russian *Mars 96* probe and by the American *Mars Pathfinder* next month.



Iliescu: poor prospects in presidential run-off

Poll pact may defeat Iliescu

Bucharest: Romania's two main opposition groups joined forces yesterday in an attempt to oust the incumbent Ion Iliescu in presidential elections and to complete the rout of former Communists after their defeat in parliamentary polls.

The pact pledges support to Emil Constantinescu, who came second in the opening round of the presidential poll to Iliescu, Romania's leader since 1989. The two men will compete in a run-off poll on November 17.

Mr Iliescu is urging voters to re-elect him as President to preserve stability and to soften the social impact of reform. (Reuters)

Icelandic floods run up £10m bill

FROM REUTERS IN REYKJAVIK

ICELAND yesterday estimated that the flooding prompted by a sub-glacial volcano had caused more than £10 million damage, and scientists issued a warning that more eruptions were possible in the remote area.

The melt flow from a lake in southeastern Iceland under the Vatnajökull icefield, Europe's largest glacier, was returning to normal two days after a torrent of black sulphurous water and debris flooded an uninhabited plain, media reports said.

The torrent, which pushed hundreds of huge chunks of ice several miles, smashed bridges and swept away power lines and parts of the 22-mile stretch of Iceland's coastal ring-road, which snakes past the glacier.

Hreinn Haraldsson, the director of research and development at the Public Road Administration, said temporary bridges would be built in six to eight weeks to restore traffic on the road. "It will then take one to two years to rebuild the bridges," he said.

Scientists said more eruptions could take place beneath the glacier, which covers two of Iceland's most active volcanoes.

Bundesbank chief 'sabotaging EMU'

FROM PETER BILD IN BONN

AN ASTONISHING attack has been made on Dr Hans Tietmeyer, the Bundesbank president, accusing him of running an assiduous campaign to prevent a single currency and to sabotage Chancellor Helmut Kohl's drive for European integration.

In an open letter in the influential weekly *Die Zeit*, Helmut Schmidt, the former Chancellor, says Dr Tietmeyer is damaging his country's international interests and stirring up fears that it is trying to dominate Europe. Herr Schmidt accuses the Bundesbank president of trying to run "a state within a state".

The core of Herr Schmidt's case is that Dr Tietmeyer's repeated insistence on "strict adherence" to specific financial criteria for EMU distorts the Maastricht treaty and is designed to prevent the euro's launch in 1999. He says Dr Tietmeyer has falsely tried to persuade the public that the

convergence criteria are absolute and binding.

The Maastricht protocol sets out six criteria for joining a single currency. The most widely quoted would exclude nations whose total public sector deficit exceeds 3 per cent of GDP. Whether single currencies are "in" or "out" will be determined on the basis of 1997 data.

Herr Schmidt says the Bundesbank president crucially fails to explain that article 104c of the EU treaty, inserted by Maastricht, allows European government leaders wide scope in deciding EMU membership without reference to the criteria.

The European Union will decide on EMU's founder members in early 1998.

Herr Schmidt says that Dr Tietmeyer gives the clear impression that he does not want EMU in 1999, despite claiming to favour currency union.

A Bundesbank spokesman said Dr Tietmeyer would not be responding to the attack.

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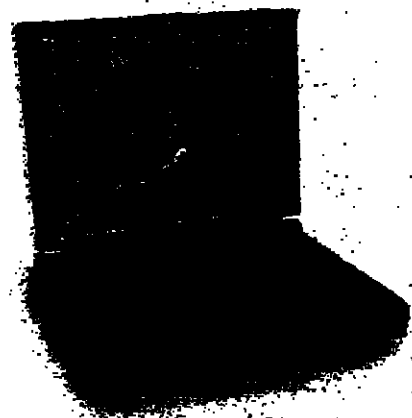
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Bhutto allowed to meet her detained husband

FROM CHRISTOPHER THOMAS AND ZAHID HUSSAIN IN ISLAMABAD

BENAZIR BHUTTO was allowed to meet her multi-millionaire husband, Asif Ali Zardari, at Zam yesterday in a remote boarding house 30 miles from Islamabad, where he is being held under armed guard without charge.

The ousted Pakistani Prime Minister has been ordered to leave her official mansion within a week: a humiliating end to three years in power, which could be her last.

Miss Bhutto, jailed and exiled by former military rulers, returned home a heroine eight years ago and now leaves office in disgrace. Editorial writers generally applaud her departure: the judiciary, the Army, the President and most of the press have long since lost faith in her. The caretaker Government that will lead the country to fresh elections yesterday began exploring ways of saving the precarious economy.

Javed Burki, who is vice-president of the World Bank, will return home to head the Finance Ministry, a government official announced. The country is on the edge of

financial calamity. The bank accounts of the state-owned Pakistan Steel Mill are known to have been plundered by a new manager appointed by Miss Bhutto's husband, formerly the Minister for Investments. The Government-owned Pakistan International Airlines and the nationalised banks are also in financial difficulty.

Nearly 20 political appointee ambassadors have been told that their positions have

been terminated and they should return home. The new authorities are moving swiftly to 'bring' corruption cases against Mr Zardari, known as 'Mr 10 per cent' because of the commissions he allegedly demanded from investors.

His conduct was one of the key factors in the decision to dismiss Miss Bhutto. He is believed to have been responsible for ordering the Intelligence Bureau to tap the telephones of ministers,

judges and other prominent people. Sajjad Ali Shah, the Chief Justice, complained that he had been harassed and his telephone tapped after he refused to confirm the appointment of a Zardari nominee as a senior judge.

President Leghari discovered that the telephones of two of his sons were tapped — as were many of the phones of half the Cabinet. Both he and the Army were appalled. This was compounded by Miss Bhutto's reckless public statements, in which she implied that the President and the Army were behind the killing of Murtaza Bhutto, her brother and political rival, in September.

The Government last night announced austerity measures, including halving of ministers' salaries, a ban on use of government funds for medical treatment abroad and curbs on the use of official cars. Miraj Khalid, the acting Prime Minister, continues to live in his modest two-bedroom house in Islamabad, which has been temporarily declared the official residence.



Miss Bhutto, sacked because of Mr Zardari's conduct



Ryutaro Hashimoto before he was re-elected as Prime Minister to head a minority Government

Japanese leader keeps Cabinet posts in 'family'

FROM ROBERT WHYMANT IN TOKYO

JAPAN returned to Liberal Democratic Party rule yesterday as the newly re-elected Prime Minister, Ryutaro Hashimoto, appointed a Cabinet in the traditional fashion, parcelling out ministerial posts among rival LDP clans and heirs to political dynasties.

Mr Hashimoto, 59, was elected to a second term by both houses of the Diet with the support of its outgoing coalition partners, the Social Democratic Party and the Sakigake Party. Those two groups have agreed to back him on key legislation but will remain outside the Cabinet.

This leaves the LDP entirely in control for the first time since losing its 38-year monopoly of power in July 1993. However, the end of the coalition also means that Mr Hashimoto heads a minority Government with a tentative hold on power. In last month's election the LDP strengthened its position in the lower house but remained 12 seats short of an overall majority.

Reverting to old and discredited habits, the LDP shared out Cabinet jobs among its five factions, or clans, beholden to vested interest groups, a system that fostered corruption. Mr Hashimoto belongs to the biggest faction, led by Keizo Obuchi, the former LDP Vice-President, which seized six Cabinet posts — the largest number.

The Cabinet, which the Prime Minister said he had appointed on merit, was criticised yesterday as a "daddy's boy administration". Shinji Sato, the new Trade and Industry Minister; Taro Aso, the new Economic Planning Minister; and Yukihiko Ikeda, retained as Foreign Minister,

are the son, grandson and adopted son respectively of three postwar Japanese Prime Ministers.

However, the appointments merely reflect the make-up of the lower house, where more than a third of the LDP's 299 seats are "inherited", like Mr Hashimoto's, from fathers or other relatives.

"It's rather as if the clock has been turned back three years and as if the interlude when the LDP was briefly in opposition before forming a coalition Government, never happened," said Ryu Otomo, a political commentator.

After his re-election Mr Hashimoto vowed to fulfil his poll pledges, including cutting the powers of the bureaucracy, and deregulating the economy. However, a potentially damaging scandal cast doubt on the new Government's ability to carry out reform.

Prosecutors yesterday arrested Junichi Izui, an oil wholesaler, on suspicion of evading a huge amount of income tax. Mr Izui had a broad network of influential bureaucrats and politicians and it is alleged that some of the proceeds from dubious oil transactions flowed into the coffers of some leading members of the LDP.

It is remembered that the LDP ruled Japan for 38 years in collusion with big business and the bureaucracy, a relationship blamed for the corruption in politics.

□ Cult evictions Shoko Asahara, the doomsday cult guru accused of a deadly Tokyo subway gas attack in which 12 people died, was thrown out of his own trial yesterday when he turned the proceedings into a near-farce with repeated interruptions and incoherent remarks. (Reuters)

Tasmanian gunman alters plea to guilty

FROM ROGER MAYNARD IN SYDNEY

AUSTRALIANS breathed a collective sigh of relief yesterday after the man accused of the country's worst shooting incident changed his plea to guilty.

Martin Bryant, 28, smirked and chuckled as he admitted killing 35 people and wounding many others with a high-powered rifle at the former penal colony of Port Arthur in Tasmania on April 28. During the 20-minute hearing in Tasmania's Supreme Court, Bryant sat behind a bullet-proof screen and mumbled "guilty" to each of the 72 charges he faced.

At one stage he began to giggle as he turned around to

some of the victims' relatives who were visibly distressed as they sat in the public gallery. Clearly embarrassed by his client's behaviour, Bryant's lawyer, John Avery, QC, motioned to the defendant to stop. After the changed plea: "All I can say is we have been doing a lot of talking over the past few weeks and I am gratified that the right decision has been made."

"I hope it allays people's concerns as to the trauma of having a trial."

Judge William Cox adjourned the case to November 19 for a plea of mitigation and sentencing.

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Plan is drawn up for multinational troops to seize Goma airport and fly in food

Paris condemns 'spineless' nations in Zaire conflict

FROM BEN MACINTYRE IN PARIS

FRANCE

FRANCE yesterday virtually accused Britain of "spinelessness" for failing to back its proposal to send a multinational military force into Zaire to protect a million refugees threatened by ethnic fighting.

"I'm knocking on doors, asking if anyone is prepared to shoulder their responsibilities. The answer is: 'Could you come back tomorrow?' or 'We might lend an aircraft,'" Hervé de Charette, the French Foreign Minister, complained in a television interview. "The main obstacle is the international community's spinelessness."

Last night, Baroness Chalker of Wallasey, the Overseas Development Minister, dismissed M de Charette's remarks as daft. "He ought to find out what the facts are before he accuses people of things," she said as she arrived for a meeting of European Union aid ministers in Brussels to discuss the situation in eastern Zaire.

Coming just hours before a Franco-British summit in Bordeaux, M de Charette's remarks have been interpreted as an indirect criticism of Britain, which remains deeply wary of the French initiative.

France has insisted that all major powers must take part in any intervention in Zaire, but so far only Spain and Ethiopia have agreed to contribute troops.

M de Charette said he believed there was still time to mount a multinational force, but insisted "it should have been done already". France is considering plans to take over control of airports at Goma and Bukavu, seized by Tutsi rebels, to fly in emergency food and supplies, according to French press reports.

The French Foreign Ministry denied that men and equipment were already being assembled at French military bases in Africa but the Defence Ministry said forces could begin moving into the area within three days after getting the go-ahead from the United Nations.

President Mobutu of Zaire, who is recuperating from cancer surgery in his villa in the south of France, has said he supports a multinational intervention force, but Zairean government officials called on aid agencies to stop distrib-

ing food in the war zone in Zaire to encourage the refugees to go home. "We are asking humanitarian organisations to stop distributing any aid to the refugees on Zairean soil. Instead, they must distribute aid in Rwanda and Burundi," a spokesman said.

Brussels: The European Union appealed last night to the UN Security Council to give urgent authority to an international peacekeeping force in the Great Lakes region to open the way to EU relief to Rwandan refugees (Charles Bremner writes).

Ministers from the 15 EU states agreed to give immediate backing to an international relief effort as soon as safe corridors were established by the force under discussion at the UN.

"The humanitarian operation can leave tomorrow morning," said Emma Bonino, the EU Commissioner for foreign aid. "We have plenty of food and medicine, transport and personnel in the area. We are ready but we are being barred from going in," she said.

Leading article, page 21



Laurent Kabila, the political leader of the rebel forces fighting in Zaire, speaks to the press in Bukavu this week. His soldiers control eastern Zaire near Rwanda.

African response to crisis seen as 'ideal' solution

By MICHAEL BINYON, DIPLOMATIC EDITOR

FRANCE'S call for an international intervention force to protect refugees in Zaire is likely to receive a cool response from Britain.

The French proposal will be one of the main topics at today's Anglo-French summit in Bordeaux. However, British officials have been extremely reticent about the proposal, privately many dismiss it as impractical and likely to draw Western forces into a quagmire from which they would not be able to withdraw easily or quickly.

Malcolm Rifkind, the Foreign Secretary, called President Chirac's suggestion "a very important proposal" which would be closely examined during the summit. He said Britain shared the deep concern of France and other countries over the deterioration of the situation in Zaire and Rwanda, and wanted to discuss whether additional help would be needed. However, he noted that African countries were due to hold their own crisis summit.

Mr Rifkind has been careful not to voice any objection to the French proposal and to underline Britain's readiness to discuss the details, but officials in London make no secret of their doubts. The main difficulty, Whitehall believes, is that the mission is

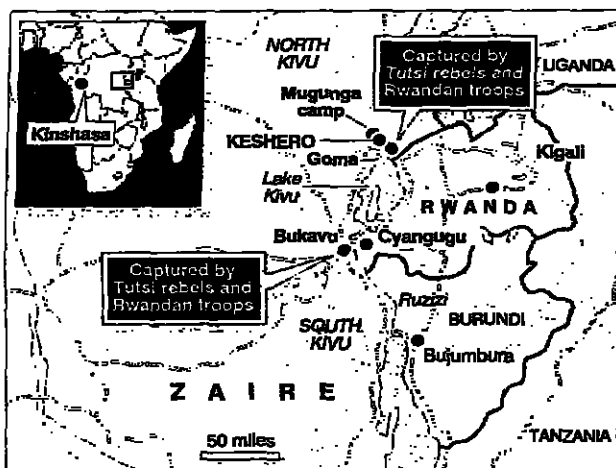
undefined. "What is the mandate of such a force?" one senior official asked. "You don't just send in troops and try to work out what they should do." Such an argument carries weight for Mr Rifkind: as a former Defence Secretary he was appalled by the frustrations of the peacekeeping force in Bosnia-Herzegovina, and shared the Army's conviction that the United Nations force was hampered by changes in its mandate.

The other British objection is that France is not proposing to open routes back to Rwanda for the Hutu refugees, as urged by the United Nations High Commissioner for Refugees. Instead, the French proposal is to help the refugees flee further into the interior. "The ideal outcome would be an African response," a senior British official said.

The other, unspoken, objection is that France is widely perceived in central Africa as the protector of the Hutus, including many of the leaders implicated in the 1994 genocide of the Tutsis. A French-led force would have no credibility with the Governments of Rwanda or Burundi, or with the Tutsi Banyarwanda rebels in Zaire.

Chirac asserts moral authority in show of force

By BEN MACINTYRE



FRANCE has demanded international support for its plan to send troops into eastern Zaire to prevent a humanitarian disaster, but the proposal springs from a peculiarly French view of its world role in which intervention in Africa is seen as a traditional right as much as a moral duty.

France has never been slow to deploy troops in Africa: over a year ago French paratroopers swiftly ended an attempted military coup in the Comoros and, last year, French tanks were on the streets of Bangui in the Central African Republic, facing down rebellious army troops.

However, the experience of Operation Turquoise in 1994 in Rwanda, which was criticised as a move in support of France's former Hutu allies and a

furtherance of French interests in the region, has prompted a more careful approach this time. President Chirac has said France will not intervene without the participation of other major powers, most notably America, while emphasising that France's interests are strictly humanitarian.

With well-manned military bases in Djibouti and the Central African Republic and at least 6,000 troops based in six African states, France is well placed to provide the backbone of any intervention force. France has stepped in to help friendly governments or rescue its citizens in Africa more than a dozen times since the 1960s, and Africa remains the stage on which France is happiest to demonstrate its remaining clout. For although France's paternalist perception

has altered somewhat in recent years, it is still imbedded in the national self-image.

The concept of *la francophonie*, the association of French-speaking countries around the world, is a cherished and powerful one. In Africa, France's zone of influence, political and economic as well as linguistic and cultural, includes not only its former colonies but also former Belgian colonies such as Zaire and Rwanda. By taking the lead in calls for military intervention, M Chirac has again demonstrated his determination to carve out an important role in foreign affairs, as seen in the South Pacific. Lebanon said Israel. French officials insist that only swift intervention will prevent massive loss of life in Zaire, but it will also cement the image M Chirac covets as a new de Gaulle in Africa.

Treatment time raises concern for Mobutu

PRESIDENT MOBUTU is said to have been having treatment for prostate cancer for several months. Even in the West more than 50 per cent of such cases are diagnosed only after the tumour has spread beyond the gland.

The length of treatment time makes it unlikely his cancer was detected when confined within the prostate. If it was, the treatment of choice is radical radiotherapy, two two-week courses of radiation, or a prostatectomy. After surgery patients may be in hospital for as little as seven days. In

many countries this course of action is preferred to radiotherapy. If the cancer has spread within the pelvis it may be treated with radiotherapy. Recovery may last for a year or two but in some cases, such as President Mitterrand or Sir Laurence Olivier, the patient may live ten to twenty years.

DR THOMAS STUTTFORD

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Fighting recalls Rwandan genocide and shows that few lessons have been learnt

Nightmare relived as tribal killings continue unchecked

DRIVING towards the front line between the rebels and the Rwandan Hutus yesterday, my stomach churned with a mixture of fear and hunger.

Three days of living off one bunch of bananas in a town cut off from the rest of the country and paralysed by fear leaves one queasy. I was confronted with a vision of almost unimaginable horror, with villagers telling me that their tribal brothers are kidnapping their children and holding them as hostages inside Mugunga. I am back, I realise, to where we were two years ago.

In May 1994 I was sneaking in behind the then Rwandan government lines in the dead of night. In one 15-mile stretch Tutsi bodies were only three yards apart, on both sides of the road. Hutu militiamen, covered in blood and drunk on slaughter, slobbered against the car window and mistook my shaven head for that of a French legionnaire. "Vous êtes en mission?" "Oui". They waved me through, believing I was on their side. Had I been a French soldier, they would have been correct. France was as culpable in the Rwandan genocide of a million people as the nastiest anti-Semites of the Vichy regime were in the Holocaust. Now the French Government is describing failure to intervene to protect the perpetrators of the genocide — crammed in the Mugunga camp in eastern Zaire — as "spineless", and is leaning on Britain to abet in what would amount to a crime against humanity.

In June, 1994, as part of Operation Turquoise — the French "humanitarian intervention" in Rwanda — SAS-style troops flew into Butare hours before the Tutsi rebels took the city. They rescued Theomestre Bagasora, Rwanda's Hitler, the chief architect of the genocide. The French wanted him safely out of enemy hands so that he would not divulge how his murderous forces were armed and trained.

France established zone Turquoise — 5,000 Hutu soldiers and 100,000 militiamen were protected by their *cordon sanitaire*, or fled, fully armed, into Zaire.

Between July and September 1994, weapons paid for by the French were flown into Goma, where the Hutus estab-



Sam Kiley, living in fear near Zaire's front line, argues that foreign military intervention would be criminal

lished an iron-handed extremist administration, in defiance of a United Nations arms embargo. The local French consul said: "The contract is dated from before the embargo, and should be fulfilled." Meanwhile the UN refused calls to separate Hutu extremist leaders from ordinary civilians, granting armed murderers refugee status.

A year later in Kibeho, central Rwanda, Tutsi soldiers in the Rwandan Patriotic Front lost their cool in a Hutu camp in central Rwanda. Stamped by the Hutus and filled with hatred for people who murdered their families, and who then fled into Zaire and were protected by the French, they killed 1,500 people in a ghastly massacre.

More hideous still was a former medical centre in Kibeho. About 2,000 Hutus were crammed into a quarter-acre quadrangle. The ground there was coated with faeces, children picked undigested maize grains from the floor and ate them, sitting on dead bodies. The dead

were not killed by the Tutsis — they had been macheted by their own leaders for trying to leave the compound under UN armed guard.

Their leaders, members of the *Interahamwe* (those who kill together), would rather hold their own people hostage than allow them to return home. They told their people that they would be slaughtered and, if that did not work, they chopped up the unbelievers.

In October this year, at Zaire's frontier post in Bukavu, Zairois Tutsis fled, chased by blood-crazed Hutu militiamen. Unbelievably the Hutus of Rwanda have brainwashed some Zairois into orchestrating a pogrom against the Tutsis. One of the militiamen, wearing a belt of grenades, chased a wealthy Tutsi family to the barrier. But at the border the family escaped. I started to weep and shake. I confess I wanted to kill him.

Last night we heard that America may help with logis-

tics in an intervention to save the Hutus of Mugunga, joining the French. That would safeguard the killers from rebel attacks, and allow them to keep their own people hostage — and to continue their slaughter with the protection of French soldiers.

The Hutus do have a choice — they can go home to Rwanda. Safe passage has been guaranteed by the rebels and the UN will monitor human rights.

Military intervention in eastern Zaire is not needed. It would be criminal.

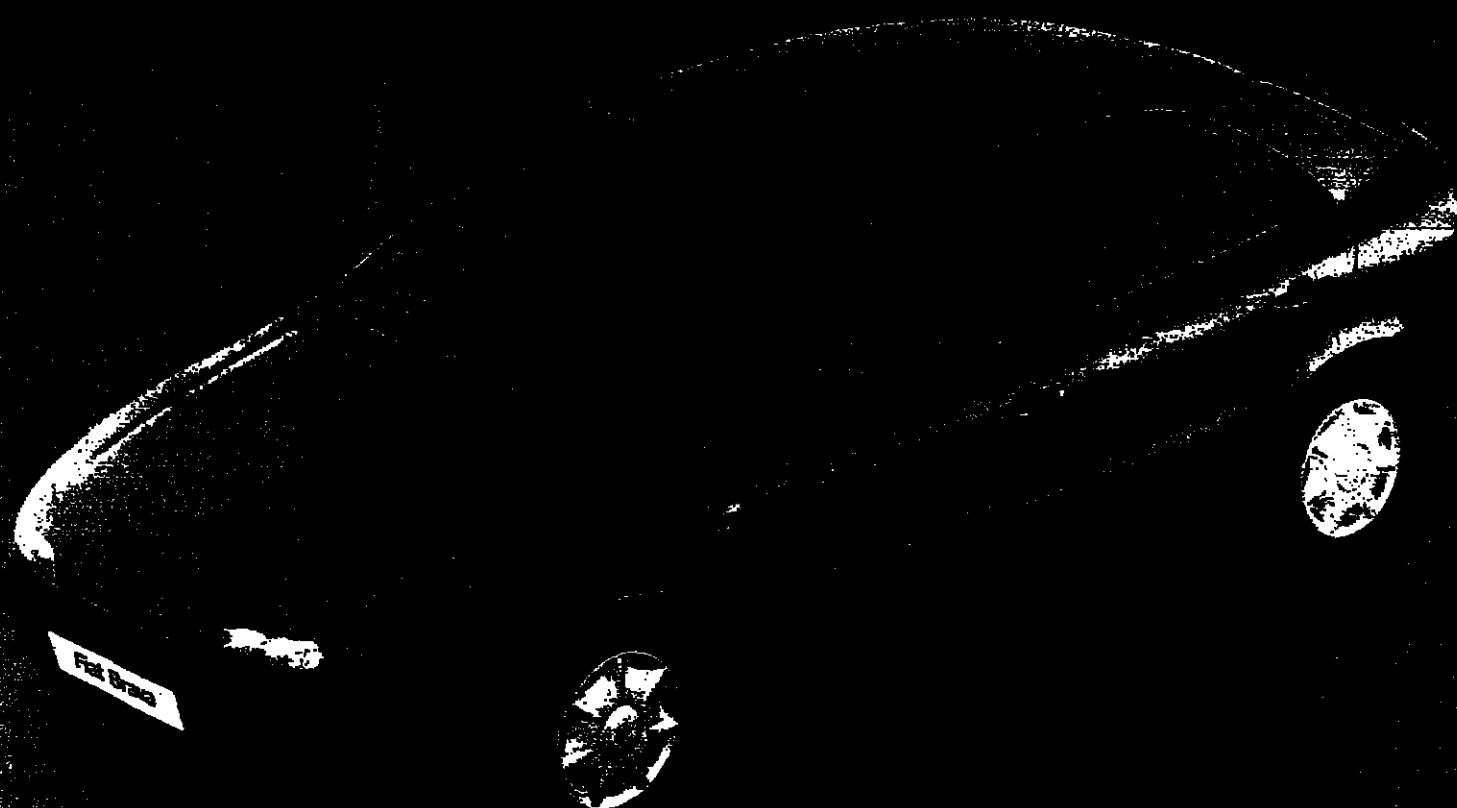


Outstretched hands: food is handed to local people at a United Nations distribution point in Goma yesterday. Zaire said it was asking aid agencies not to use its soil to supply food to more than a million stranded refugees from Rwanda and Burundi

6 Western action could protect the killers and prolong the agony

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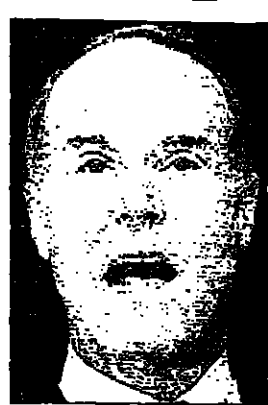


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Bijur: public apology

Texaco in row over racial slurs

New York: Texaco, the international oil company and petrol distributor, is fighting for its corporate image after two senior American executives referred to blacks as "niggers" and "black jelly beans" (Quentin Letts writes).

The men were recorded in a 1994 meeting with another Texaco employee who later left the company and turned whistleblower. Texaco's chairman, Peter Bijur, went on national television and apologised.

Middle East peace should top agenda in US, says Rifkind

By MICHAEL RIFKIND, DIPLOMATIC EDITOR

THE Middle East should be the main focus of the re-elected Clinton Administration, Britain believes. Following his visit to Jerusalem and the West Bank, Malcolm Rifkind, the Foreign Secretary, believes that unless America remains urgently involved, the peace process is in danger of collapse.

While Britain remained officially neutral in the American election, there are clear signs of relief in Whitehall at Mr Clinton's re-election. It is only because it ensures continuity in foreign policy. "The worst thing would have been a new administration that took three or four months to formulate policy on sensitive areas such as the Middle East," a senior official said.

During his recent visit to Jerusalem, Hebron and Gaza, Mr Rifkind repeatedly insisted that Europe should not attempt to compete with the Americans as facilitators in

the Israeli-Palestinian peace negotiations. "All the Arab leaders I have met confirmed that they would like greater European involvement in the Middle East but have emphasised that it should be complementary to the Americans," he said on his return.

Britain is not calling for pressure on Israel: officials insist that this would be counter-productive, especially if there was an attempt to use economic pressure. But Mr Rifkind left no doubt in the minds of Israeli and Arab officials that he believes America should make clear to Benjamin Netanyahu, the Prime Minister, world concern over the peace process. He said that a deal on Hebron must be clinched soon.

"Mr Clinton will want to deliver a policy success," a senior official said. "He won't cease to be sympathetic to Israel, but I would be surprised if he doesn't use his full

authority to demand that Israel makes a greater effort to reach an accommodation that can be accepted by the Palestinians."

Another area where Britain is hoping for American leadership is the honing of Nato's policy on enlargement. Britain hopes the Clinton Administration will step up efforts to convince Moscow that this does not threaten Russia. But officials recognise that negotiations will have to wait until President Yeltsin has recovered from surgery.

□ Jerusalem: In a deadly new tactic, Iranian-backed Hezbollah fighters in southern Lebanon are using replica rocks made out of glass fibre to disguise roadside bombs against occupying Israeli troops (Christopher Walker writes). The "rock bombs", filled with plastic explosive and half-inch ball bearings, can penetrate steel. They are made in Iran.



Gaza schoolchildren make their way home past graffiti depicting a Palestinian gunman. Israeli intelligence believes an attack by fundamentalists is imminent

Dredgers find TWA crash debris

New York: A large new haul of wreckage from the TWA Flight 800 disaster has been found by dredgers off New York's Long Island (Quentin Letts writes).

Crash investigators are still uncertain what caused the July 17 crash, which killed all 230 people aboard TWA Boeing 747, but hope that the unexpected new find, which had been buried by sand, will assist them.

Italian arrests

Turin: Police in Italy said they had arrested 17 people on suspicion of supplying arms and other support to Algeria's radical Armed Islamic Group after raids on 60 homes in at least eight cities. (Reuters)

Fatal oil blast

Bangkok: At least 11 people died and 17 were injured when an illegal Thai oil depot exploded in Rayong province, 90 miles from the capital. The cause of the blast was not known. (AP)

Lisbon blaze

Lisbon: A fire raged in Lisbon's City Hall for nearly three hours, destroying the roof and top floor of the 19th century, four-storey palace, one of the country's main tourist attractions. (AP)

Buried alive

Peking: Song Xuehui, 15, buried his brother, 14, and sister, 11, alive, believing that as a single child he would have a better chance of attending university. He claimed they had been kidnapped. (AP)

Water music

Bangkok: More than 2,000 chanting carmen brewed torrential rains to hold a centuries-old barge procession to celebrate Thai King Bhumibol's fiftieth year on the throne. (Reuters)

Watch this space

Peking: China has 2,000 more islands and 51.13 more acres of farmland than previously thought, according to new photographs taken by a retrievable satellite that recently returned to Earth. (AP)

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California court battles start over 'affirmative action' ban

FROM GILES WHITTILL IN LOS ANGELES

FOR the second time in two years, California voters have passed a racially divisive constitutional amendment only to see it immediately bogged down in high-level legal wrangling.

Proposition 209 outlaws state programmes giving preference to ethnic minorities and women. Within hours of it becoming law, a flood of lawsuits by civil rights groups claiming that it was unconstitutional left experts predicting

it would be tied up in the courts until at least 1998.

In a virtual replay of scenes after the passage of a contentious 1994 anti-illegal immigration measure, lawyers from the American Civil Liberties Union were on the steps of San Francisco's federal courthouse by the time it opened on Wednesday morning. Top school, university and local government officials have told staff to go on administering "affirmative ac-

tion" programmes until a definitive ruling is issued.

The Los Angeles City Council, which represents a volatile ethnic melting pot and bitterly opposed Proposition 209, has warned state authorities it plans to ignore the measure. That stand sets the stage for a showdown with Pete Wilson, California's Republican Governor, who has vowed to end "affirmative action".

Leading article, page 21

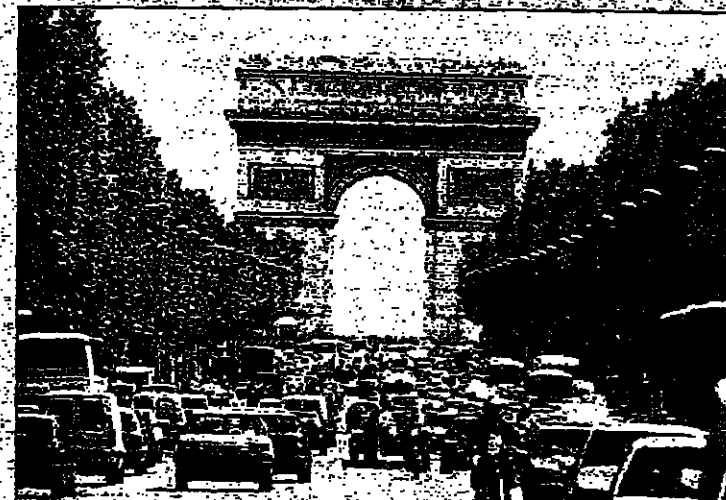
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TOKEN

11

CHANGING TIMES

US Congress set to give President a rougher ride

FROM BRONWEN MADDOX IN WASHINGTON

PRESIDENT CLINTON will need a working relationship with the new Republican-controlled Congress. Yet behind the post-election talk of consensus from both sides, the ingredients are in place for four years of confrontation and frustration.

Despite Mr Clinton's decisive re-election, the results were a shared victory that divided power between the White House and Congress.

Republicans were rejoicing yesterday at having retained both the House of Representatives and the Senate. "We will control all the committees. We'll control the legislative process," said Bill Paxon, a New York congressman and chairman of the National Republican Congressional Committee.

For the past two years, Mr Clinton wore the yoke of a Republican Congress lightly; it encouraged him to define himself as a moderate in contrast to the excesses of the radical House Republicans led by Newt Gingrich. But in his second term, the same circumstances look set to place him under formidable political and fiscal constraints.

A non-ideological politician facing a highly ideological Congress, he will also be under pressure to address the difficult policy questions that his first term succeeded in avoiding.

The election ate into the Republican House majority; when all results are in, the Republican advantage may be

227-207 with one independent, compared to the pre-election margin of 235-197 with one independent and two vacancies. But, despite the squeeze, Mr Clinton's 1994 revolutionary freshmen proved unexpectedly resilient; of the 70 on the ballot, at least 55 have retained their seats.

The Senate has become more conservative; the Republican lead of 53-47 has grown by at least one seat. Many of those retiring were moderates; many replacing them, such as Sam Brownback, are from the conservative wing, closely allied with the religious Right.

Despite the conservative flavour which Congress has retained, both sides have spent the past 48 hours practising the unfamiliar vocabulary of peace-making. Mr Clinton has said that it is time to "put aside the politics of division"; and Democratic Party insiders are speculating that he may offer leading Republicans — perhaps including Bob Dole — places on crucial committees.

Mr Gingrich, Speaker of the House, says he has had a "very positive conversation with Mr Clinton" and that "we are now going to work together".

Mr Clinton and Mr Gingrich are right that there is a consensus to be built: both parties now know that electoral appeal lies in the centre ground. As Mr Gingrich puts it: "He campaigned on a balanced budget, lower taxes, welfare reform. That certainly sounds like something I could

find a lot of common ground with. Our door is open."

For the moment, the extremes of both parties are silenced. As Patrick Kennedy, a liberal Democrat congressman from Rhode Island puts it, Mr Clinton "will undoubtedly leave many Democrats on the more liberal end alienated and disaffected". Prominent Republicans such as General Colin Powell are urging similar moderation on their party.

One test of the Republican party's commitment to the centre will be the fate of Mr Gingrich himself. Demolished throughout the campaign, he was an electoral liability; party insiders acknowledge. If he survives as Speaker, they expect him to have a diminished role.

Above all, Congress will force Mr Clinton to initiate policy, particularly on the political minefield of healthcare.



Carolyn McCarthy hugs her son, Kevin, after defeating her pro-gun rival. Her husband died and Kevin is still partially paralysed after a random shooting

Widow's crusade for gun controls leads to poll win

FROM IAN BRODIE IN WASHINGTON

OF ALL the winners in the American election, none had a more emotional triumph than Carolyn McCarthy.

She is the widow whose fight for gun control after her husband's murder will now take her from her home town of Mineola on Long Island to a seat in the halls of Congress.

She trounced the Republican incumbent, Dan Frisa, who had unwisely voted to lift the ban on assault weapons. Just such a semi-automatic gun was wielded by Colin Ferguson, a Jamaican immigrant, on a commuter train three years ago. Mrs McCarthy's husband was one of six people who were killed.

Nineteen others were wounded, including her son, Kevin, who was shot in the head. He is still partially paralysed, but making a good recovery.

Mrs McCarthy gained a 57-41 per cent victory over her opponent. A nurse and a mother who had never thought of a political career, she was provoked into running by Mr Frisa's pro-gun campaign. A life-long Repub-

lican, she was forced to run as a Democrat. She has not changed her party affiliation, but will sit with the Democrats. She will fight for gun control, but promises not to be a one-issue legislator.

Nine of the 100 senators are now women, the most ever and Maine has now joined California as the only states to have both their Senate seats held by women.

One new Democratic senator is Max Cleland, who lost both legs and his right arm in Vietnam. He squeezed out a one-point victory in Georgia over Guy Millner, a Republican "Christian businessman".

Also in Georgia, Cynthia McKinney, a Democrat, became the first black woman to win a congressional seat from the South with a white majority. Sonny Bono, formerly of Sonny and Cher, was re-elected to Congress. He will be joined by another Republican who had earlier won fame. Jim Ryan, who held the world record for the mile for nine years in the 1960s, won a seat from Kansas.

Clinton is urged to tackle dirty money

FROM TOM RHODES IN WASHINGTON

AFTER all the speeches and spin, the single issue to emerge yesterday from the American election was the need for both political parties to confront the flood of dirty money that has swamped the country's democracy.

The most expensive election in American history, which cost more than twice as much as the 1992 contest, ended with the Democrats spending an estimated \$250 million (£152 million) and the Republicans \$400 million on a lacklustre campaign that resulted in little more than the status quo.

For months Americans have voiced a sense of national revulsion at the lack of rules, penalties or limits to combat the wholesale purchase of political influence and endless negative advertising.

From the smallest state race in South Dakota to high-profile Senate races in New Jersey and North Carolina, where the candidates spent an extraordinary \$26 million, no American citizen may run for office without first swearing allegiance to Mammon.

The emergence shortly before the election of close links between President Clinton and foreign nationals in Asia has proved the most prominent example of how money may have been used to buy

influence. New revelations have appeared daily about the role of John Huang and James Riady, two Asians closely allied to Mr Clinton. Mr Huang, a senior executive with Indonesia's Lippo Group, later joined the Commerce Department and became a senior Democratic fundraiser before he was forced to stand down for the dubious raising of \$9 million for the party.

Mr Riady, a Lippo board member and friend of the Clintons from Arkansas, visited the White House and, like Mr Huang, received countless individual briefings on American foreign intelligence.

Whether or not Mr Clinton and his aides willingly granted political favours or sold foreign policy in exchange for large campaign contributions, there is no doubt that during countless visits to the White House both men discussed policies beneficial to their business interests in Jakarta.

The result has been a reassessment of how the country should finance its elections. There were calls yesterday for Mr Clinton and a new Congress to abolish all "soft money" gifts, to ban foreign donations, eliminate political action committees and impose strict spending limits.

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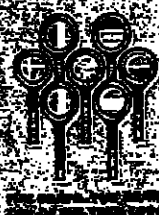
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POETRY AND REMEMBRANCE

Unfit for heroes

UNTIL the British Legion was founded, old soldiers, with the exception of those taken care of by the Royal Hospital in Chelsea, were not well looked after. A Sergeant Brown, who had served 21 years in the 11th Hussars and had been at the Charge of the Light Brigade, received a pittance for a pension and ended up, via the workhouse, in a pauper's grave. Some resorted to thieving. The soldiers returning from the First World War did not find a land fit for heroes. One like Corporal Butterfield from the Lancashire Regiment, was reduced to begging. In the Boer War, reservists were called up leaving families behind. Kipling wrote this poem in order to raise money for their wives and children. It was published separately by the *Daily Mail* and copies were sold.

KENNETH BAKER

RUDYARD KIPLING

The Absent-Minded Beggar

When you've shouted 'Rule Britannia,' when you've sung
"God save the Queen,"
When you've finished killing Kruger with your mouth,

Will you kindly drop a shilling in my little tambourine
For a gentleman in khaki ordered South?
He's an absent-minded beggar, and his weaknesses are great -
But we and Paul must take him as we find him -
He is out on active service, wiping something off a slate -
And he's left a lot of little things behind him!
Duke's son - cook's son - son of a hundred kings -
(Fifty thousand horse and foot going to Table Bay)
Each of 'em doing his country's work
(and who's to look after their things?)
Pass the hat for your credit's sake,
and pay - pay - pay!

There are girls he married secret, asking no permission to,
For he knew he wouldn't get it if he did.
There is gas and coals and vittles, and the house-rent falling due.

And it's more than rather likely there's a kid,
There are girls he walked with casual. They'll be sorry now
he's gone.

For an absent-minded beggar they will find him,
But it ain't the time for sermons with the winter coming on.
We must help the girl that Tommy left behind him!
Cook's son - duke's son - son of a belted earl -
Son of a Lambeth publican - it's all the same to-day!
Each of 'em doing his country's work
(and who's to look after the girl?)
Pass the hat for your credit's sake,
and pay - pay - pay!

There are families by thousands, far too proud to beg or speak,
And they'll put their sticks and bedding up the spout,
And they'll live on half o' nothing, paid 'em punctual once a week.

'Cause the man that earns the wage is ordered out,
He's an absent-minded beggar, but he heard his country call,
And his regiment didn't need to send to find him!
He chuckled his job and joined in - so the job before us all
is to help the home that Tommy left behind him!
Duke's job - cook's job - gardener, baronet, groom
Mews or palace or paper-shop, there's someone gone away!
Each of 'em doing his country's work
(and who's to look after the room?)
Pass the hat for your credit's sake,
and pay - pay - pay!

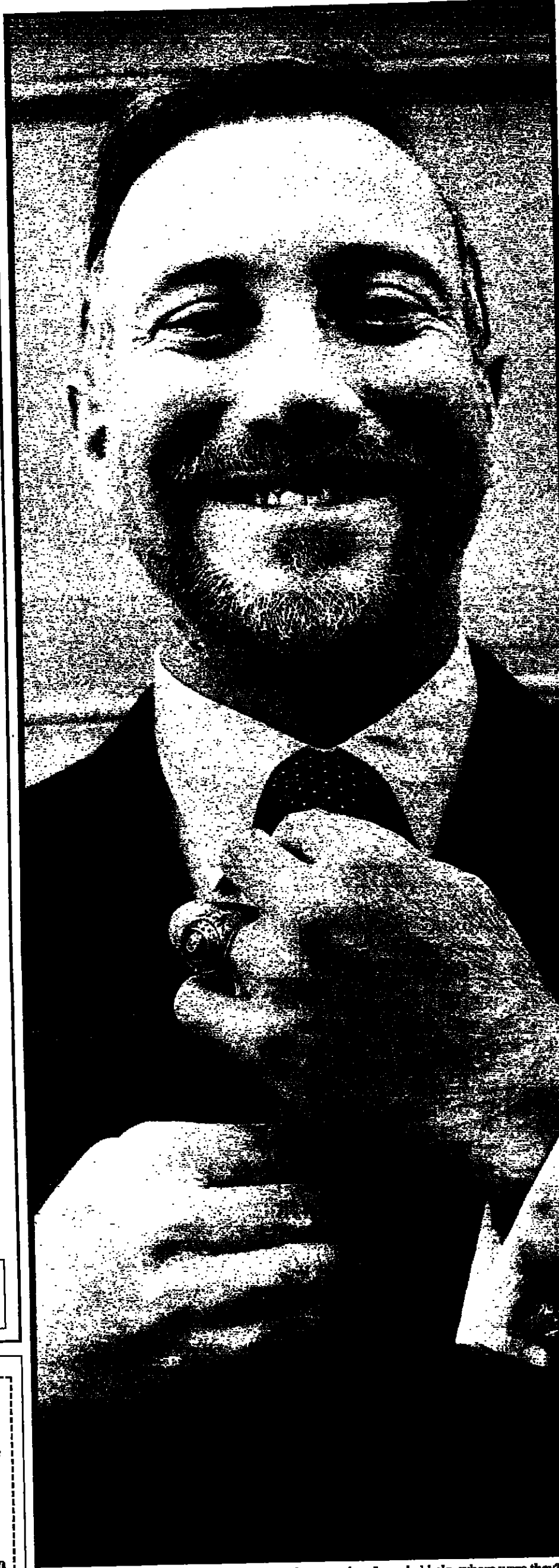
Let us manage so as, later, we can look him in the face,
And tell him - what he'd very much prefer -
That, while he saved the Empire, his employer saved his place
And his mates (that's you and me) looked out for her.
He's an absent-minded beggar and he may forget it all,
But we do not want his kiddies to remind him
that we sent 'em to the workhouse while their daddy
hammered Paul.

So we'll help the homes that Tommy left behind him!
Cook's home - Duke's home - home of a millionaire,
(Fifty thousand horse and foot going to Table Bay)
Each of 'em doing his country's work
(and what have you got to spare?)
Pass the hat for your credit's sake,
and pay - pay - pay!

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Assassinating Sarah

The Duchess of York's former confidant, Allan Starkie, says he has nothing to feel guilty or ashamed about. Interview by Noreen Taylor



PETER NICHOLS

"Shame, betrayal!" Allan Starkie gasps at the very idea of such allegations. The author of *Fergie: Her Secret Life* smiles reassuringly: "I have nothing to feel guilty or ashamed about. Sarah always meant me to be her biographer. She even faxed me entries from her diary. My book is the truth."

Central casting could not have produced a Boswell more suited to the loopy world of Fergiana. At the beginning he had proved himself as courtier, and in this role he was blessed, possessing the correct blend of obsequious charm, and what the Duchess of York would have interpreted as refreshing American know-all.

To the more sane, it should have been obvious that Starkie - smitten by the period he refers to as five beautifully illusionary years - was in a position to take advantage of their friendship.

For the impressionable Sarah, he embodied wisdom, sophistication and loyalty. After all, he had been a decorated officer with the CIA. As usual, she'd got it all horribly wrong.

Oh, she knew he had kept a daily account of the crazed whirl of her life. A life over which she so arrogantly felt she could exercise control, censoring all future publication. Big mistake. According to Starkie she allowed him to go to jail in Germany for five months after promising bail money from her *Budgie* book profits.

Starkie was under the impression that Sarah would rescue Oceania, the company he ran with her lover, John Bryan.

"I gave my complete loyalty to her and John, yet when I needed help, where were they? John was in Hawaii judging the Miss Hawaii Beach contest and Sarah went off to Barbados."

A dapper little man, speedy, whirring with the excitement being generated by the publicity of his book, Starkie is high on adrenalin.

High, too, no doubt on revenge - although he denies such intention.

"My book paints her as she is. A character with flaws, headstrong, even wild, but there are no distortions."

The picture he paints of life at Rombold Lodge and Kingsbourne is of a woman out of control, fuelled by a distorted sense of power, of a belief she could accomplish anything - if only the Palace would get off her back. She foolishly misunderstood that whatever power she imagined she had came through the marriage on which she heaped humiliation.

"She didn't see it like that," says Starkie. "Sarah's view of herself was that of an international figure in her own right, someone who'd outgrown the Royal Family. Why did she have to have the Queen's permission to visit Bosnia? The Palace were crowding her."

Visibly preening when asked to draw conclusions from the psychological drama unfolding daily, his smile widens as he replies: "I like that. Psychological drama. That's exactly how I perceived it - the way the book's written. Let me tell you, though, how I miss the kids - those little princesses. Gee, I love them."

Enough, presumably, to shine such an unforgiving light on their mother's life. However, we should allow Starkie to continue.

"What you have to understand is that the Royal Family live in isolation, surrounded by unworshipful sycophants. They are removed from reality."

But surely Sarah had parents from outside such circles? "Oh, her mother lives too far away and anyway she thinks of her like an elder sister. As for her father, she felt she could not trust him."

So all she had was Allan Starkie! "Sure, I was an authentic person. After all, Prince Charles has his group of advisers. Diana never managed to gather such a group, although she used to attend sessions with John and I, where we would help her rehearse meetings with Prince Charles during divorce discussions. John would play the Prince of Wales so she could act out her lines. Those were mock trials to prepare her for the divorce."

All the while Starkie's busy

pen noted each detail: the blunders, the infidelities, the tearful rows. It transpires her lifestyle was dripping with sleaze, hidden for a time behind the public image of a gloved hand receiving bouquets, waving from regal limos and greeting heads of state.

Meanwhile, the figure of Prince Andrew diminishes to that of a walk-on player - a shadowy figure with a repertoire of unsavoury lines.

"The Duke of York and I, we used to talk a lot. I could tell - just from the way he looked at Sarah, he was still in love. Would have done anything for her. He once asked me where he ought to put her at Christmas after the separation. There was a gamekeeper's lodge in Windsor Great Park he wanted me to have a look at. When I did, I advised him it wasn't an appropriate place for his wife to spend Christmas. He was very grateful."

John thought the Dook simple. He used to help him with his homework. Though of course John knew nothing about naval matters - he could pretend expertise on almost any subject. I viewed Andrew's reactions as coming from a different kind of intelligence. No, I wouldn't say Sarah looked on her husband as an idiot - just someone she would always be one step ahead of, like a younger brother. She often said that living with him was like living as a nun, but I don't want to go into their sex life.

"I'll tell you what, though - she asked me in 1994 during a visit to Albania whether she should go back to him. Just so I could say 'yes' to the lot of them." She meant the Palace crowd.

'She's the daughter of a woman who went off with the man of her dreams'

Did the Prince ever worry about such household arrangements? Surely the over-stuffed quarters might have provoked cries of alarm?

"The Yorks always had money problems. That's why she wrote the *Budgie* book - he didn't make enough of an income. They were very aware of how much better off the Waleses were in comparison."

"The Prince did not call the shots, though. He felt powerless within the marriage. Don't forget, he was the one in love, the one hoping she'd return - in fact that's largely what we spent our time discussing."

I told him that none of this made any sense. Why would Sarah Ferguson have thrown away the key to such a life, one she had so obviously craved and saw as part of a fairy-tale package?

"When I set up the series of fireside chats in October '92, and when I began travelling with her, I must admit that I, too, was curious. She tried to give me an answer which went something like this: 'On my wedding day, after I took the flowers from my hair, I noticed that as they began to wilt - my life also began to die.'"

Too impenetrable, I'm afraid. Could he translate?

"Sure. She's a restless, wild creature - daughter of a woman who went off with the man of her dreams to the other side of the world. That's about it."

● *Fergie: Her Secret Life* is published by Michael O'Mara Books, £14.99

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HARRY ENFIELD
NOVEMBER 1997

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'Now I know why women complain'

The Scardinos have a very modern marriage. In a week when some write in defence of wife-beating, it is a relief to meet Albert Scardino, a husband who says, laughing: "I can't imagine anyone I'd rather be beaten by than my wife."

Marjorie Scardino, the "firecracker" chief executive of *The Economist*, is to take over the Pearson Group on January 1 and so become the first female chief of an FT-SE 100 company. But who gets the children up in the morning and off to school? Albert, of course. He is "the principal domestic carer" since Mrs Scardino's rise to the top of the corporate heap.

The Scardinos are hardly alone as a couple where the wife is the bigger breadwinner. The Queen is one; Cherie Blair another. As Albert says, if you know two examples of anything it's a coincidence, but if you know three it's a trend. We could all name 20 such happy hang-up-free partnerships.

Albert, in his sharp suit, does not look like a househusband. He shows off their strikingly neat apartment carved out of an octagonal turret five floors above the streaming traffic of the Old Brompton Road. "It's a New York apartment in the middle of the busiest street in the country," it had long lain empty until the Scardinos walked through the door. Everything is gleaming white, marble or parquet, straight out of an Executive Lifestyle feature.

Eight windows give 360-degree views: sunset over the Victoria and Albert Museum, the Virgin Mary atop Brompton Oratory. "She's the only person who can see in," Albert says, "so we try not to offend her." He serves coffee on a tray with white linen napkins.

They met in 1971 in West Virginia in the bureau of Associated Press. He was 22; she was 23 and his editor. She read his first story and said: "Whoever told you you knew how to write?" "I thought, this is going to be an interesting relationship. But Marjorie was Marjorie." They embarked on a life of madcap adventures, no hint of a future in corporate management.

They paddled a boat down the Cherokee Indians' river trail from North Carolina. They took up shrimping on the Georgia coast. "Those shrimps cost us 50 dollars a pound. It would have been cheaper to buy the shrimps from the supermarket."

As graduate students in California in the last hippy years, they wrote their own wedding service and married in a park in matching Med-

Albert Scardino on the challenge of being househusband to the new head of the Pearson Group

can cotton his hair longer than hers. Back in Albert's home town of Savannah, Georgia, where his father was a surgeon and his mother a pillar of the community, they refounded the long-defunct *Georgia Gazette*, and applied principles of journalistic truth and Democrat views in a Republican town. "We drove the populace to distraction and helped to put a number of petty officials in jail," Albert won a Pulitzer Prize for his editorial writing — "the Pulitzer certificate is identical to that given to a graduate from Columbia Dental School" — but could not compete with the local monopoly papers and in 1985 they went bust. The



THE VALERIE GROVE INTERVIEW

Scardinos left town, by now with three children, owing \$250,000 and it was only last year, a decade later, that they finally paid off all their creditors. ("We cracked a bottle of champagne to celebrate being worth nothing.")

But Marjorie showed commendable organisation even in childbearing. She would go into labour on a Friday, have the baby on Saturday, leave hospital on Sunday and be back at her desk in the office on Monday. ("We used to say: 'Marjorie, this is not the cottonfields. You don't have to drop the baby in the field and keep ploughing.'")

With the aid of an excellent nanny — "Professionals who look after your children are not like people who sweep your hall" — they moved to Manhattan. While Marjorie ran *The Economist* in New York with conspicuous success, Albert's career took a dive. He left *The New York Times* to be Mayor Dinkins's press secretary and "irritated the life out of the New York City press corps: I was arrogant and imperious. After

many misunderstandings, I had to go. It taught me an important lesson in humility." He also found himself spending more time with his children since their youngest, Hal, "a boy so painfully shy he did not speak in school for the first year and a half", by chance won a role in the chess movie, *Searching for Bobby Fischer*. A year later, by which time Marjorie had taken over *The Economist* in London, the telephone rang again: "Hey, does your son want to be in another movie?" So Albert took Hal off to Hollywood for six months, to make *The Indian in the Cupboard*. This was a real re-education for Albert. "It turned out to be a very emotional period in which Hal, aged nine, carrying a \$15 million project, taught me how to be a companion and a friend, how to listen. I discovered that I was a terrific mouth and not a very good ear."

"I learnt how to let him do it without interfering, and let go. I'd always had people looking after me; now everyone was concerned about Hal and whether he'd had enough sleep and enough to eat to keep his blood sugar up, and to me they'd say: 'Hey, what's your name, would you mind stepping out of the way?' Hal was remarkably generous, almost as if he were the parent. It altered the dynamic."

"I learnt a lot about the traditional female role. I believe it even changed my metabolism. My heart rate slowed down, my awareness of other people rose."

So now it is Albert who is happy to keep the home fires burning, while Marjorie sets the Thames on fire. The eldest daughter, Adelaide — "she's another Marjorie, so vivacious that when she walks into a room the furniture gets up and dances" — is at university in America. The two boys are at day school in London.

Albert does all the cooking and shopping. "I know which detergents are on special in Sainsbury's and I know the cost of tomatoes." He still lectures on politics and the media, but mostly he runs the family: travel arrangements, visits from his six brothers and sisters, homework to oversee. "And I always handled the family finances, even though Marjorie was the one with the business judgment."

"I never before appreciated the demands on women's time. That you never get more than 20 uninterrupted minutes." (Here the two tele-

phones rang at once, each for a different son. Callers hear a patriotic *Home on the Range* if one line is busy.) "I now recognise what women used to complain about, back in the Sixties. That our society places value only on earning power, not on the vital support structure that allows someone to go out and earn."

Marjorie's last salary from *The Economist*, with bonuses, was £495,000. "I'm very proud of her. We've got more than I ever expected to earn as a reporter. Maybe I wouldn't enjoy it so much if I had to be a trophy husband. But I can participate in Marjorie's life by having endless, stimulating discussions and it makes me feel part of her life."

After leaving the Scardino apartment I turned on the television news and saw Albert (a seasoned Clinton campaigner) alongside Robin Renwick, our erstwhile Ambassador in Washington, discussing the presidential election result. Albert was laughing off the low voting turnout. "People who follow the news obsessively are dangerous. They turn into terrorists, lobbyists or journalists." Marjorie is a night owl — "the later it gets, the faster her motor runs". Albert fades out by 11pm. But it obviously works. What they share is that dry Southern humour: Marjorie has carried on her predecessor David Gordon's tradition of injecting *The Economist* with quirky *bons mots* and jokes, even in the annual accounts. "It's obvious to everyone," says Gordon, "that they are each other's best friend. They laugh together all the time."



Albert Scardino and, inset, his wife Marjorie. "It's obvious to everyone that they are each other's best friend"

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BBC

Philip Howard



It takes a particular kind of bottom to be a grandee

So Kenneth Baker has been elected a grandee. This is now official. It must be true, because when he and Douglas Hurd attack the Government's policy of mandatory minimum sentences for repeat offenders, the headline-writers choose "grandees" as the blanket term to cover such unlikely bedfellows. So how does one qualify for the nickname of the year?

The Tory grandees last paraded in force as signatories to a letter to the press just before the Conservative Party conference, timed to pepper the Europhobes. They included the Lords Whitelaw (the captain grandee), Carrington and Howe, Douglas Hurd and Leon Brittan. Which is the odd one out there? Sir Leon, stupid. For power and a grand lifestyle do not in themselves make a grandee. As a European Commissioner, Sir Leon has more of both advantages than the rest. But as an active player in politics, especially Brussels politics, he does not qualify.

Grandees should be of a certain age and retired from the hurly-burly of active politics. Tufton Butlers and other senior backbenchers (knights from the shires) were once grandee material, especially if they could change out of their tweeds to become "men in grey suits". However, Steve Norris, the former Transport Minister, is a senior backbencher. But he could never become a grandee. Apart from his indiscreet social life, he leads the *Garagiste* tendency among Tory MPs, and so is debarré by vestigial social snobbery. On the other hand, Julian Critchley, who discovered the *Garagiste* tendency, has many grandee qualities, including a bottom of good sense and a generous nature that does not take politics too seriously. But he is still not quite a grandee. He is too witty.

You do not have to be socially grand to be a grandee. Kenneth Baker is an admirable example of a self-made man who has made it to grandee without ancestral acres or the Old Etonian network. But it is significant of the change in grandeeism since Troilope that an undisputed grandee, Douglas Hurd, when campaigning for the Tory leadership, felt it necessary to emphasise that his ancestral acres were rented and that he went to Eton merely as a poor King's Scholar.

It is not necessary to be stupid to become a grandee. Douglas Hurd is clever. But cleverness is not a sufficient quality. Enoch Powell is too clever by half and not enough of a team player. David Mellor is clever and successful as a media pundit. But like Steve Norris he is too undisciplined to be promoted. Age helps to create a grandee, but it is not sufficient. Ted Heath has been Father of the House for ages, but he is still too partisan in his engagement in current politics. Grandees should at least give the appearance of being above the strife and soundbites. They should look as though they believe in *noblesse oblige* and gent-like qualities.

Can you have a Labour grandee? Lords Callaghan and Healey, like Ted Heath, still retain too much of their ancient rancour. Could a grandee be female? The gender of the word makes this a grammatical impossibility. And the Queen is too grand, and Baroness Thatcher still too wrapped up in old ideology.

The grandee started life as a Spanish or Portuguese nobleman of the highest rank, a Don of Dons with Princes of the blood royal up his family tree, and provinces obedient to his frown. He should be as proud as Lucifer, and as generous as Roderigo El Cid, preferably not played by Charlton Heston. Like the *junta*, it is a useful Spanish term that we have adapted to our native politics. Like all such grandiose titles, it is silly.

In his *Outline of History*, H.G. Wells lamented that we did not know the name of any human being until about 50 centuries ago. The extravagant titles and nicknames we have invented since then to butter up (or put down) the high and mighty are evidence of the vanity of grandeeism. King of Kings, the Sublime Force, the All Highest, His Holiness — what we are talking about here is poor old forked radishes like the rest of us. "Grandees" will no doubt soon become a cliché and a laughing-stock, and so die of shame. And we will have to invent some other sobriquet for the rascals. But meanwhile the image of Kenneth Baker and Douglas Hurd in ruffs and doublets and hose as painted by Velázquez is charming. And grandee is useful shorthand for a headline.

Kenneth Clarke's Faustian pact

Bernard Connolly says if the Chancellor agrees to the stability pact, he will have taken a big step towards a federal superstate



Writing in *The Times* last month, the Prime Minister defended the Government's policy of wait-and-see on European monetary union. Britain must have its say on issues that will inevitably affect us, whether in or out, and the facts are not yet known. One of the great unknowns about which Mr Major warned us was the "stability pact" to submit national budgets to constraints imposed by Brussels and Frankfurt. Yet when he wrote, the broad lines of the pact had already been agreed by the European Council of economic and finance ministers, including our own Chancellor of the Exchequer, at their September meeting in Dublin. And within two weeks of his article, the Brussels Commission produced proposals to turn that political agreement into law.

The stability pact is no longer unknown to the Euro-elite, but it certainly is to the British public and the British Parliament — even, for all one knows, to the British Cabinet. It is unknown to almost everyone whom John Major warned about the dangers of decision-making on Europe before the pact was unveiled. Of course, Kenneth Clarke himself never bothered, he tells us, to read the Maastricht treaty. Now that he is Chancellor, and acquiescing in European legislation himself, why should he expect any of his Cabinet colleagues to take their duty to the British people any more seriously?

Yet as the former French Defence Minister, Jean-Pierre Chevènement, pointed out in a powerful article last week in *Le Figaro*, the stability pact represents a new assault on national parliamentary sovereignty, almost on a par with the Maastricht treaty. Next Monday it will be top of the agenda at the finance ministers' meeting. Final decisions are imminent, so it is crucially important for Britain to understand what is involved, despite our leaders' reluctance to tell us.

For countries in a monetary union, the fiscal constraints on governments, stability pact or no, will inevitably be far tighter than anything that would be financially necessary outside. Thus the influential Institute of Fiscal Studies says that a British budget deficit keeping the debt ratio stable would be perfectly respectable and sustainable in financial terms. The institute is right — if Britain stays outside monetary union. But inside, a different logic will take over.

No longer able to guarantee debt repayments, because no longer in control of the currency in which debts are contracted, a government that is part of a monetary union will have to balance its budget. Over the summer, Euro-sceptic Labour MPs calculated that in British terms, the difference between budgetary austerity requirements inside or outside a monetary union will be £18 billion (equivalent to a startling 12 per cent of current government spending, excluding interest and social security) — and this takes no account of the mind-boggling cost to the British purse of bailing out improvident continental pension systems.

But Germany does not trust its "partners" to do what monetary union would require of them. It insists on legal rules, to enable Brussels to profit politically from the financial disaster of monetary union. The stability pact that will soon be passed into law gives the EU the right to impose fines on monetary union members whose budget deficit in stage 3 is deemed excessive by Brussels. The country concerned will not even have the right to vote on its own fate, it will simply stand in the dock before its "partners". The fines can be massive — more than £3.5 billion a year in the British case.

Even worse, stage 3 members will have to commit themselves — via so-called "stability programmes" to be vetted by Brussels — to achieving budget balance or surpluses. And these programmes will have to contain "automatic" provisions for combating departures from them. According to a little-noticed Commission document issued last month, even countries that stay out of stage 3 will be legally obliged to submit "reinforced convergence programmes" which, though lacking explicit sanctions, otherwise mimic the stability programmes of the participants. These convergence programmes will then be submitted to the Commission, the Monetary Committee of EU

treasury and central bank officials, and to the finance ministers' council. In short, Brussels and Frankfurt, not national parliaments, will have the final word on what governments should or should not do in spending and taxing.

Mr Clarke could not block the legislation on convergence programmes even if he had a Damascus conversion to Euro-scepticism. Qualified majority voting will apply. But he could block the stability pact before next month's EU summit in Dublin. If he did, he might well scupper the whole monetary union project, since Germany is insisting on the pact as a precondition for stage 3. That would produce a great sigh of relief, not only in Britain but throughout Europe. Only the federalists and busy reagents would be dismayed.

But Mr Clarke, federalist that he is, will not veto the stability pact. That, of course, is why the Government is unwilling to come clean on the stakes involved. Block the pact, and monetary union may not happen. Let it go through, and a further irrevocable step will have been taken towards the federal superstate that the Government says it abhors. Mr Clarke's vote on the pact in the finance ministers' council will be the most important act by a British minister, at home or abroad, since the Government bullied Parliament into accepting the Maastricht treaty.

At least there was public discussion, however inadequate, of that treaty. At least there were votes, however shamefully rigged, in Parliament. This time there may not even be a debate in Cabinet. Yet once Mr Clarke has cast his vote in the council, neither sacking him nor turning out the Government will make any difference. It will all be too late. So, is John Major going to use Britain's "seat at the negotiating table" or not? Will he write another article in *The Times*, explaining what instructions the Cabinet will give the Chancellor about the line to take in the council? Or is party unity so precious to him that he will give Kenneth Clarke a free hand to sign away Britain's future? If he does that, he will find that a plea of "Lord, I didn't know" will serve him naught on the political Day of Judgment.

The author is an economist. He was dismissed earlier this year by the European Commission after publishing his book *The Rotten Heart of Europe* (Faber).

When a conscientious man like Timothy Ley loses his job, he loses his pride — and so begins a tragic tale

The redundant clerk who wouldn't go quietly

Bernard Levin

I have to start with poetry, and I shall end with poetry. You will find that the poetry is not at all the light and merry kind, but neither is it simply the dark and awful kind. There is heroism in this story, and there is also folly, but of wickedness there is not the slightest sign. And yet for all the heroism and folly, the greatest characteristic of this story is its pain.

Pain and poetry have frequently come together and in this case those two hold hands from beginning to end. Heroism and folly and pain; one more attribute was needed, and that is persistence. And persistence these innocent people got — got in such quantities that in the end they cursed the very word.

We wise, who with a thought besmirch blood over all our soul, How should we see our task But through his blunt and fearless eyes?

These words are for a man called Timothy Ley. He was 45 years old when our story begins, and he was (mark the "was") a most respectable gentleman: he was married with grown-up children, and I am quite sure that he was on the most perfectly pleasant terms with his neighbours; and if he ever were (mark the "were") called to settle an argument, he would do it in the most delicate manner, so that nobody would be unhappy, let alone angry.

Now, when I said "was" and "were", you must not think that what he was doing was anything wrong, anything that concerned dishonesty, for Timothy Ley was the very soul of uprightness. At the very thought of breaking the law — even the tiniest law — he would, I am certain, shiver and change the subject. And to top all that, guess what his job was? Yes, he was a clerical officer in the Inland Revenue, and you can't get any more respectable than that. And so, the members of the family Ley went on their ordinary, harmonious, leisurely way, for years and years and years.

Well now, Timothy Ley went off every

morning — no doubt after giving his wife the happy usual morning kiss — and rain and shine, shine and rain, he went to his office to do his work, no doubt perfectly. He did this exactly the same for years on end; off he went, his briefcase swinging, with that briefcase full of files. Nor was he the kind of man who, after doing the same job for many years, wanted to bang his head on the wall; no, Timothy Ley was quite content to go on with the same work until retirement, a couple of dozen years away. There are many such people in this reasonably calm land; I could not live like that, and many others could not either, but there are certainly many who not only do the work dutifully, but enjoy doing it. Timothy Ley, it seems, was just such a man. At least, he seemed just such a man. But that man's seeming turned out to be something very different, something extraordinarily, something incredibly different.

Because, one day, without telling anyone what he was going to do, Timothy Ley took a flamme liquid, and poured it over himself, and then struck a match. And so complete was the burning of his body that he could only be recognised from dental records.

What can be said? Nothing, of course. We are entirely bewildered, indeed we cannot understand anything at all. Suicide, and a specially dreadful kind of suicide, would be unimaginable for Timothy Ley. But he did it, without warning and without any kind of reason — or at least any reason that any reasonable person could discover. And death shall have no dominion.

Well, there was — is — an answer. An

answer, that is, for a placid, honest, decent man called Timothy Ley. But for the rest of us, if your head is still spinning with horror, the answer is more terrible than the match he struck. Timothy Ley had lost his job. No, it was not for any kind of wrongdoing — Timothy Ley lived and died a respectable, honourable man, who would not pick up a penny from the pavement unless he was certain that it was his own.

So what had happened to make such a man kill himself? It is that he had been made redundant.

No, no, no; he had been made redundant, not because of any fault of his. It was just because the Inland Revenue, no doubt under orders, had to start cutting its cloth; everything had to be squeezed because there is less money for anything, from furniture to train-tickets, and from midday cups of tea to human beings.

To human beings. A blow, a considerable blow. Anyone would go a little pale at the news that his or her work was not needed now; even though it is not because his or her work has become less thorough. Picture the moment; the head of the department calls in the man who is to be made redundant, and tries to cushion the

blow. He repeats that the redundant man is not losing his job because his work has become slipshod or dishonest. Certainly not — perish the thought. But then there are shake-hands all round the room. And he goes home to tell his wife the bad news.

Correction: he goes home, but he does not tell his wife the bad news. And he does not tell his wife the bad news for two years.

But how, you ask? Take a deep breath. For two years, two years, that poor devil, that heroic devil, that pitiable devil, that incredible devil, that great and unique devil, left his home at the exact time as he had always done in all those years (no doubt never forgetting to kiss his wife) and stayed away from his home until, swinging his briefcase — that briefcase that had held so many files — it was time to return.

There are many aspects to this almost unbelievable but true story. For one thing, what did he do when he left his home to kick his heels for about six hours five days a week? Let his wife answer.

He told me in August that he was starting a new job with an insurance company and would be going on a training course. Until then I had no reason to suspect anything other than that he was employed by the Inland Revenue. He insisted that all the paperwork would come through after he had been working there a month.

That won't do, surely. Where did he remain all through the hundreds and hundreds of hours? Where did he sit, where did he stand, where did he eat or drink, for hours and hours and hours? It is likely that, when he began this ter-

rrible march to oblivion, he wavered and thought he would own up (though God Almighty himself would have told him that he had nothing to own up to), but there comes a moment when the coin is spun and comes down heads or tails, but alas, not both.

Pride. We all have it, one way or another. But to pretend that a man is working at his desk five days a week, when he is not working at all, and indeed is doing nothing at all, would surely kill a man. And indeed it did kill him. I repeat — that pitiful man was not being sacked for laziness or stealing or incompetence. He was being sacked because and only because the Inland Revenue had had orders to cut the number of the employees. And Timothy Ley picked the short straw.

Very well; he did. Pride, we are told, goes before a fall. But in this case the pride went after the fall. And not only did that pride refuse to follow: it stood like a ramrod. For two granite years he stood, and he ended his life by himself.

But we are missing the point, the terrible, dreadful point. A man, bowed down with the pride he should have abandoned long ago, decided that he would give up the heroic and pitiful waste of life. And so he lit a match and gave himself to the flames. If that is pride — and it is — let us pray, and pray fiercely, for humility.

This infinitely tragic story has no simple answer, and indeed hardly any kind of answer. The very heart of it cries out to say there is nothing to say. There is a grieving widow and there are grown-up offspring and a tombstone. Not enough. Not enough.

Alive, he is not vital overmuch; Dying, not morose overmuch; Nor sad, nor proud, Nor curious at all. He cannot tell.

Old men's placidity from his. All the lines I have quoted are from Wilfred Owen. Did I not tell you that I would start and finish with poetry?

Oh phooey!

PLANS for Luciano Pavarotti to sing at a concert to celebrate the handover of Hong Kong to the Chinese are floundering. The Chinese, it seems, simply do not get the point of Fat Lucy.

According to reports in the Italian opera press, Pavarotti had been approached to sing at the joint Anglo-Chinese concert while on tour in the Far East with New

York's Metropolitan Opera. A few bars of *Nessun Dorma* were felt, by the European side at least, to be just the thing to herald in a new era of furious, Chinese-run enterprise. Then Pavarotti stated his price: somewhere in the £500,000 bracket.

"Noh goh," said the Chinese. He may have the gift of a hibernating panda, but could he really be worth

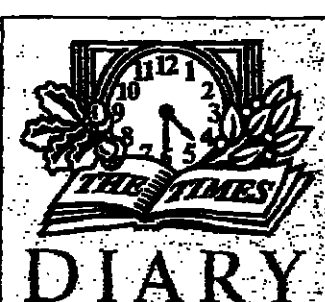
that much? For all his chin-wobbling, his kind of singing is worlds apart from the Chinese form of opera.

Pavarotti's New York agents could not comment on the size of his fee nor on the extent of his commitment. The Chinese, however, are rapidly losing interest, and are threatening to withdraw their invitation. Those who will be in the colony for the handover, including Baroness Thatcher and the Queen, may now have to settle for all-in karaoke instead.

First sitting

FANCY financial footwork by the Duke of Richmond and Gordon has landed Sotheby's with a problem: he has bought the star lot of next week's English furniture sale. The lot, two 18th-century chairs made for the 2nd Duke of Richmond home, is the cover illustration and is described over six pages in the sale catalogue.

A couple of centuries ago, the family gave the chairs to Chichester City Council, which recently decided to sell them to pay for refurbishment. Lord March, the duke's son, stepped in and offered £120,000, the top estimate. "It is ex-



ceptional that the cover lot is withdrawn before the sale," comments Sotheby's, which has no plans to pulp its catalogue.

Village politics

CONSOLATION for Bob Dole from the small town in Italy where he was wounded during the war. Castel d'Aiano, a close-knit community in the Apennines, has written to the defeated Republican asking him to become its mayor.

"We were all rooting for him in the election," says Pietro degli Espoti, leader of the community. "If he would like to come to be our mayor, we would welcome him with open arms."

Castel d'Aiano. He has a withered right arm, after an enemy shell exploded as he was leading his men to storm a German machine-gun nest. It blew away most of his right arm and injured his spine. "The only thing I've got left is my head," remarked the trapper when he came round.

● Latest diversion on the Moscow and St Petersburg cocktail circuit is dried dogfood, used instead of rarely-found peanuts and pistachios to soak up vodka. Pedigree Chum, purveyors of sustenance to Labrador and spaniels, doesn't export to Russia, but concedes a black market may exist. "The people will come to no harm; all Pedigree products are fit for human consumption," whines a dogsbody.

Black mark

I'M DELIGHTED that the world has caught up with my long-established concern for Tony Blair's hair — or the lack of it — first mentioned in this column nearly a year ago. I must now draw your attention to Peter Mandelson, suave spin doctor, socialite and Labour MP. Some months back, I explained his

decision to shave off his moustache: he was having trouble pulling out his grey hairs and I suggested that he uses a dye on top. Proof of a sort came the other day in a downpour at Westminster — shuffling Commons secretaries report that they saw black dye running down the back of his neck. But does hair-dye really run these days?

Real Windsor

STRAIGHT from the streets of Newcastle comes a riposte to the aristocratic models — Stella Tennant, Honor Fraser, Iris Palmer — currently representing Britain on the catwalks. She is the delightful Jayne Windsor, 22, mother of two children, whom she refers to as her "bairns", and with a boyfriend on the manual side of construction (scaffolding and brickwork). An agency brought her down to London and provided a home.

After making a profound impression at the London shows, she is being lined up for a series of lucrative advertising jobs. We look forward to more of this new, maverick face of British fashion.



Jayne Newcastle's answer to the fashion elite



What price Pavarotti? Too much, apparently



AFFIRMATIVE REACTION

Californians revolt against racial and sexual quotas

As Americans went to the polls on Tuesday, they made decisions on more than the presidency and Congress. The citizens of California, where the state constitution permits the widespread use of referendums, also passed Proposition 209, the prohibition against discrimination or preferential treatment on grounds of gender or race.

This measure prevents the state government from deploying racial or sexual criteria in hiring employees, awarding contracts, or in admission to higher education. Although a prior judicial ruling prevented the words "affirmative action" being placed on the ballot, the target was clear. Not only did the proposal pass by a clear 54 to 46 per cent margin, but a majority of women and respectable proportions of California's ethnic minorities apparently voted in favour.

The issue, indeed the very definition, of affirmative action has long been controversial in California and across the United States. From the late 1960s, numerous initiatives were taken that tried to increase opportunities for particular disadvantaged groups. While the objective of such programmes was to help those who had historically been discriminated against, for example by offering educational scholarships to bright but poor black children, they were supported by Americans of all backgrounds. During the 1970s, however, extra encouragement was judged no longer enough. The aim became specific numerical "goals", especially on the number of black students entering university. A system of barely concealed quotas emerged so that a fixed percentage of state government jobs, business, and studentships was reserved on racial grounds, regardless of competence, test, or scores in admissions tests.

This so-called "positive discrimination" was theoretically declared unconstitutional in a particularly incoherent Supreme Court decision — the Bakke case — some 18 years ago. In practice, many institutions ignored the illegality of their actions and carried on anyway. Ironically, law schools have been among the worst offenders. One in New Mexico created separate admissions committees and different pass rates based purely

on race, until a persistent federal judge finally prohibited the procedure. In California, the practice was endemic, especially in higher education, with its worst effects not on whites but Asian Americans.

Not surprisingly, many Americans have become increasingly angry. They believe that noble intentions have been perverted by political correctness. Their displeasure has fed through to the political system. Last year, Governor Pete Wilson of California forced his state university system to abandon its overt use of quotas. The Supreme Court in *Adarand Construction Inc versus Peña* declared that such techniques were only allowed as a remedy to precise and proven examples of initial discrimination, and even then should not require rigid numerical targets. President Clinton was obliged to review the practices of the federal Government, although with characteristic flexibility he declared his intention to "mend not end" affirmative action.

Now Californians have had their say. The result will reverberate well beyond the Golden State. California's referendums have long had the habit of influencing other jurisdictions. The revolt against high taxation and the drive to limit the terms in office of politicians were both launched from the Pacific Coast. Other local lawmakers will note the trend and change their ways; if they do not, their voters will do it for them. Both President and Congress will have to address the question again. The days of positive discrimination are numbered. As elements of this practice seem also to have crossed the Atlantic, it is a change that the British should be interested in too.

There is no evidence that Californians want to abandon the disadvantaged. All efforts to produce equality of opportunity remain wildly popular. It is the crude attempt to fix an outcome rather than respect open competition that is so vilified. Proposition 209 accurately reflects the values of the Declaration of Independence and the American Constitution. Quotas do not. The 1996 election may not have altered the composition of America's political leaders. This ballot will profoundly affect their agenda.

GUTS AND GLOIRE

French rhetoric is no help for Zaire's children

Behind the diplomatic language and announcements of closer naval co-operation, sharp words will be exchanged today at the Anglo-French summit. The issue is Zaire, and the quarrel is over the French proposal for an international intervention force. Britain has been notably quiet over President Chirac's call on Tuesday for a multinational mission to guarantee safe passage for the refugees caught up in the fighting in eastern Zaire. But such reticence says more about the need to create a good atmosphere for today's talks than about the Government's real reaction. The French proposal, as almost every official in Britain believes, is ill-conceived, impractical and designed more to boost the faltering position of France in Africa than to address the underlying causes of the fighting.

Britain is the only other European country that could give such a mission credibility. As the only two powers with Armed Forces ready to intervene overseas, Britain and France could constitute a nucleus of a force. Britain's reluctance has infuriated Paris. Hervé de Charette has accused the international community of being spineless: an accusation as foolish as it is transparent.

The obvious objection to the French plan is that such a force has no clear mandate. France should know from Bosnia how foolish it is to rush in troops on the assumption that "something must be done" before they know what they can or need to do. Every military mission needs proper tasks and attainable goals. A mission to the heart of Africa, in the absence of a ceasefire and without definition, is bound to end in recrimination. Caught in the crossfire of tribal conflict, it will provide neither short-

term safety to the refugees, nor a long-term solution to the disintegration of Zaire's despotic regime.

The second clear fault in the plan is that it does not hasten the return of the Rwandan refugees to their country. The cynicism of Hutu extremist leaders, vividly described by our correspondent on the scene today, has repeatedly been denounced by aid agencies, which have refused to enter the camps in eastern Zaire because of intimidation by those responsible for the 1994 Rwanda genocide. On at least two occasions there was a chance, after Zaire-Rwanda agreement, to persuade the refugees to return; United Nations delay wasted the opportunity. Zairean resentment at the refugee burden grew, the extremists' control was strengthened and the fires of new tribal conflict were stoked. The French plan would simply send the refugees deeper into Zaire.

The plan would also harden suspicion in Africa that once again Paris is protecting the guilty, the Hutu extremists and the corrupt officials of President Mobutu's tottering Government. While the corrupt dictator languishes in his Riviera villa, such suspicions would be hard to dispel.

France's humanitarian motives are not in doubt; but its record in propping up dubious African regimes that support France's quasi-colonial role in the continent is too poor to hope for any sudden change. The Americans see the dispatch of troops as a last resort. But like the British, they too believe that regional forces should be part of a regional solution and that any such intervention must have United Nations sanction. This is not spinelessness; it will achieve more than guts and gloire.

MANIFESTO PROMISES

Politicians owe Mrs Lawrence prompt action and more thought

Jaw-Jaw is often better than Law-Law. A parliamentary nation should generally value considered debate more than precipitate action. Nevertheless, there should be a welcome for the response of Michael Howard to the campaign against combat knives launched by Frances Lawrence in *The Times*. A clear, and growing, evil has been addressed with the urgency it deserved. The death of Philip Lawrence alerted the nation to the disturbing prevalence of battlefield blades in the hands of the alienated young. His widow's manifesto goaded politicians to act and the package of measures unveiled should go some way towards making the streets safer.

The extension of stop-and-search powers to tackle those individuals who, by dress, manner and association are likely to be carrying offensive weapons should be of direct practical benefit to the police. It will not prevent the isolated fanatic or determined criminal from carrying a knife, but it should give the young drawn to the shallow machismo of gang culture pause for thought. In too many of Britain's urban areas young men mimic the tribal affiliations of American cities and organise themselves into groups defined by dress and

flourish. The knowledge that such behaviour will attract increased police attention, and heavy penalties should act as some deterrent.

This effect should be maximised by the public campaign planned to stress the penalties for carrying offensive weapons and an effort in schools to emphasise the futility of thus asserting one's power. If *Leandro Chindamo* had recognised where membership of his "Triad" gang would take him then Philip Lawrence might still be inspiring another generation of schoolchildren in north London.

Some politicians, although driven by genuine outrage, were insufficiently careful in their calls for legislation. Opposition attempts to introduce a Bill simply to "ban" combat knives appeared the most obvious way of tackling the violence against which Mrs Lawrence campaigned. But, simple slogans obscured measures that, while less seductive, may be more effective.

The difficulty of defining a combat knife, like the problems attendant on any return of corporal punishment, means agitation for such action is an arid response to a real need. Other moves may be necessary in time. But the Home Secretary's plans are a

Don't blame it all on the children

From the Chair of the National Children's Bureau and others

Sir, We are deeply alarmed at the current attitudes to disruptive pupils reflected in the media and in public pronouncements by politicians. Some newspapers and both main political parties appear to be in competition to demonstrate who can be toughest with children, who can trump the others' punitive proposals.

The naming of particular children whose behaviour is problematic is unedifying. To the trauma they have often experienced at home, and sometimes at school, is added the humiliation of widespread publicity. This must be counter-productive, sometimes even creating heroes where this is least appropriate.

It is well established that affection, care and disciplinary approaches based on reward rather than punishment are the most effective ways to ensure good behaviour and relationships. In the words of Lord Elton's 1989 committee of inquiry into school discipline: "Our impression is that, in schools with a negative atmosphere, pupils learn to see themselves as irresponsible beings who must be contained and controlled at all times. Our evidence suggests that pupils tend to live up, or down, to teachers' expectations."

There are many positive school initiatives which encourage children's sense of responsibility. These include pupils' involvement in "whole school" behaviour codes, anti-bullying strategies and school councils, constructive home-school liaison and courses in personal and social skills.

Approaches such as these should be publicised, applauded and developed, as should the work of many schools, situated in deprived inner-city areas, in which the atmosphere is settled, exclusions rarely occur and achievement is promoted. Certainly, because of their behaviour, some children do need extra resources. Can we afford not to provide them?

We condemn the current climate of hostility to children and young people. If something is wrong, the fault is not with them but with the adults, with us. If we demonise children, we shall surely only create demons.

Yours faithfully,
PHILIP GRAHAM,
Chair, National Children's Bureau.
SUSAN JACKSON,
Chair, Children in Wales.
R. E. KENDELL,
President, Royal College of Psychiatrists.
R. J. LEWIS,
President, Association of Directors of Social Services.
ROY MEADOW,
President, Royal College of Paediatrics and Child Health.
PETER MORTIMORE,
Director, Institute of Education, University of London.
HEATHER DU QUESNAY,
President, Society of Education Officers.
National Children's Bureau,
8 Wakeley Street, EC1,
November 6.

School discipline

From Mr Nicholas Bennett

Sir, The law regarding what teachers can do to restrain unruly pupils is very uncertain (letters, November 5). Most teachers are afraid to tackle such pupils for fear of prosecution for assault. If a pupil decides to march out of the classroom or the school, many teachers dare not physically prevent them.

Even in cases where a teacher has to intervene to stop one pupil attacking another there is a danger that the assailant or his parents may take out a prosecution against the teacher. The Government should look urgently at the legal position and if necessary amend the current Education Bill to ensure that teachers, acting reasonably, can use sufficient force. If necessary, to restrain the small minority of out-of-control pupils.

Yours faithfully,
NICHOLAS BENNETT
(Conservative prospective parliamentary candidate for Reading West),
86 Titchfield Road,
Reading, Berkshire.
November 5.

From Miss E. M. Manners

Sir, Before my first headship in 1959, I was deputy head of a very large co-educational school in a tough part of south Yorkshire. Corporal punishment was used on the boys but not on the girls, whose discipline was my concern.

The boys did not complain of this discrimination, but the girls did. The worst that could happen to the lads, they said, was six of the best from the Boss, whereas the lasses had to face an interview with Her Who Must Be Obeyed — a much more daunting prospect.

Yours faithfully,
ELIZABETH MANNERS,
6 Graham Court,
Hamilton Gardens,
Folkestone, Suffolk.
November 7.

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Letters that are intended for publication should carry a daytime telephone number. They may be sent to a fax number —

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

Millennium dome plans under fire

From Lady Panufnik

Sir, Richard Morrison's article on plans for the Millennium Exhibition ("No, no — a thousand times no", November 2) was most welcome. In past months I and numerous other well-intentioned people have been desperately trying to raise funds to "match" with lottery money for estimable buildings in exemplary causes.

We have been willing to put in this work because for the moment these are the only terms on which we can innovate and renew. However, arts and education projects are suffering because the energies of those who should be running them are being dissipated in the pursuit of philanthropists whose goodwill must be crumbling in the face of endless demands.

It makes fools of us all when we see that £500 million is to be squandered on a temporary dome over a stretch of poisoned ground near Greenwich (report and picture, November 1). The comic-strip elegance and witty architectural lines of the design cease to amuse when one starts to calculate what that money could contribute, for example, to books for schools, extra teacher-training or music education, or in eliminating the accumulated deficits of our honest and dedicated music schools, art schools, orchestras, and institutes of adult education.

Other projected millennium follies include ten hideous concrete obelisk "markers" along one of the most beautiful stretches of the Thames, between Kew and Hampton Court. I dread to think what further *idées de grandeur* and mindless extravagances will be foisted onto the nation by the Millennium Commission to make us happy about the arrival of the year 2001.

The £500 million is not toy money, pledged to castles in the air (or even to Ferris wheels); it is real money, with real power to further the sciences, the arts and education.

Yours faithfully,
CAMILIA PANUFNIK,
Riverside House,
Riverside, Twickenham, Middlesex.
November 4.

From Mr J. S. F. Parker

Sir, Three hundred cheers for Richard Morrison and his article today.

Before all the millennial nonsense gets completely out of hand, would it not be a good thing if those responsible were asked to explain exactly what it is that they suppose they'll be celebrating?

I am, Sir, your obedient servant,
JOHN PARKER,
8 Holly Terrace, York.
November 2.

Academic medicine

From Mr D. A. Rev, FRCS

Sir, Professors Sir Keith Peters and Frank Harris are to be commended for their robust support of pay equivalence in academic medicine (letter, October 30). However, this issue is only one of the reasons why the universities are unable to recruit and retain top-class clinicians to develop the nation's medical research base.

The unspoken reality of NHS consultant practice is that in many parts of the country, and particularly in the surgical specialties, NHS consultants can and do earn several multiples of their basic NHS salary in private practice.

The somewhat puritanical, restrictive and radically inconsistent approach by the universities to the issue of private practice is the major disincentive to the recruitment of talented young consultants into academic surgery, notwithstanding the intellectual and professional rewards of academic success.

It is within the remit of the universities themselves to strike a sensible balance between incentive and reward. Those universities which do not do so will inevitably witness a continuing drain of talent and will fail to recruit the individuals necessary to sustain

academic development into the 21st century.

Yours sincerely,
DAVID REV,
(Senior Lecturer in Surgery),
University of Leicester,
Faculty of Medicine,
The Glenfield Hospital,
Groby Road, Leicester.

From Dr Peter Beck

Sir, The cogent pragmatic argument presented by Professors Peters and Harris can also be supported from a moral or ethical standpoint, namely fairness.

As an NHS consultant myself, I believe that we share the clinical load in our teaching hospitals equally with the academics. We all do the same ward rounds, outpatient clinics and on-call duties, as well as sharing the teaching commitments, and a differential pay structure for this parity of workload would offend against natural justice. The policy cannot, I believe, be supported from either a moral or practical stance and it should be changed at once.

Yours faithfully,
PETER BECK,
(Consultant physician),
Llandough Hospital,
Penlan Road,
Penarth, South Glamorgan.

Legalising drugs

From Dr N. J. F. Smallbridge

Sir, Dr Cresswell (letter, October 30) suggests that legalising drugs and making them freely available would benefit society and reduce drug-related problems. These drugs can cause significant physical and psychological harm even in their pure form.

The harmful effects of hard drugs (opiates, amphetamines, cocaine) are already well known and research is increasingly demonstrating that the so-called soft drugs (cannabis, Ecstasy) are also harmful. Governments make their use illegal to protect their citizens.

I have no doubt that making these drugs freely available would increase their use and the harm caused to individuals. The present illegality acts as a deterrent to some and the expense as a deterrent to others. Removing these barriers would result in more experimentation and, as some of these drugs are highly addictive, a greater number of addicts.

Dr Cresswell mentions counselling for drug addiction: this is very expensive, the majority of opiate addicts requiring long-term counselling and residential rehabilitation for a minimum of six months. Opiate addiction can be treated successfully by the substitution of heroin with methadone. This is prescribed and is therefore far cheaper to the addict than illicit heroin. Despite this a significant number of recipients sell their methadone for illicit drugs.

Legalising drugs is a recipe for condemning the next generation of young people to a life of drug addiction.

Yours faithfully,
N. J. F. SMALLBRIDGE,
Edward Myers Unit,
City General Hospital,
Stoke on Trent ST4 6QG.
November 1.

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New Elizabethans

From Mr Robert Wilton

Sir, Your Diary today ("Tory history") reports that Foreign Office "history buff" are recommending that the Tories invoke the glories of the first Elizabethan age to kindle satisfaction with our own.

What are Foreign Office officials, supposedly impartial, anonymous civil servants, whom one could imagine have quite enough to be getting on with in the crises at present facing the globe, doing coming up with election gambits for the Government?

And secondly, before Central Office run off 10,000 "New Labour, New Armada" posters, they might remember that the late stage of the previous Elizabethan reign was marked by economic and political stagnation, and the increasing isolation of the fast-declining leadership from the mass of the population.

There were parties in the street as

the old leader lay dying, with prominent figures in the old regime dispatching urgent messages proclaiming their loyalty to the new.

Still, the historical hopefuls may take seasonal heart from the fact that two years into the new administration, elements of the population were trying to blow it up.

Yours faithfully,
ROBERT WILTON,
67 St Peter's Street, NI,
November 5.

From Mr John A. Heywood

Sir, If the Foreign Office really believes, as your Diary reports, that Elizabethan England continued until the end of the 17th century thank goodness their specialist subject is geography.

Yours faithfully,
JOHN A. HEYWOOD,
21 Walpole Street, SW3,
November 4.

Refugee rapist

From Mr Gordon Thorpe

Sir, Mr Ali Noor rewards our hospitality in granting him asylum by raping two of our pensioners, aged 84 and 76 (News in brief, November 6). Now he is going to cost us a fortune in keeping him behind bars for 18 years.

Would it not have been preferable simply to send him home to Somalia?

Yours faithfully,
GORDON THORPE,
Ivy House, Low Grantley,
Ripon, North Yorkshire.

Two-minute silence

From Mr Antony Beevor

Sir, I would warn the "many local authorities [that] will fire maroons to mark the beginning... of the two-minute silence" (letter, November 7) that when a maroon was fired for this purpose at the Royal Hospital, Chelsea, on the 50th anniversary of VE Day, the crack set off several car alarms which wrecked the moment.

Yours faithfully,
ANTONY BEEVOR,
54 Saint Maur Road, SW6.

Do teachers need a dress code?

From Mrs Elizabeth Warren

Sir, The drive to smarten up teachers by Mr David Shaw, MP (brief report, November 4), was met with surprise from the teachers' unions, who believe that teachers' appearance must be appropriate to the task in hand. Of course both views are, in part, correct. Mr Shaw's apparently subjective approach has, nevertheless, a soundly researched basis. In the late 1970s, social psychologist Albert Mehrabian found that people instinctively judge by appearance first, then by what is said. If a person's appearance is inconsistent with their words, then it is the message conveyed by the appearance that is believed, not the words spoken.

It is not so much a question of uniformity in dress that is at issue here, as one of standards. It is possible to dress casually and still appear well-groomed. Yet this skill is so little understood that Levi Strauss produced a video to help companies overcome the problems that have been raised by "dressing down days".

Yours faithfully,
ELIZABETH WARREN
(Associate Member of the
Federation of Image Consultants),
Holley Warren,
Old Orchard House, 1 The Street,
Uley, Nr Dursley, Gloucestershire.
November 4.

From Mrs Susan Lee

Sir, The idea to introduce a regulation to smarten up teachers must come as an insult to many. However, there are alternatives that should be given serious consideration.

When visiting the Caribbean three years ago I was impressed by the neat appearance of both pupils and teachers, who also had a uniform. However, classroom work can often be messy and making staff conform to a standard entirely at their own expense seems rather unfair.

One solution might therefore be for each school to adopt a corporate style, following in the footsteps of so many other institutions from supermarkets to airlines. The cost of purchase could be set against the individual's tax liability. This would also aid security, as those employed at each establishment would be clearly identifiable.

Yours faithfully,
SUSAN M. LEE
(School governor, 1991-96),
The Bell House,
Little Wiltshire, Cambridgeshire.
November 4.

From Mrs P. H. Tull

Sir, Do teachers really need David Shaw to tell them how to dress? Most head teachers I know would have a "quiet word" with anyone not correctly dressed.

Perhaps, however, Mr Shaw or any aspiring fashion student could suggest a suitable fabric from which infant teachers' smart clothes could be made. This fabric would have to withstand a daily wash to remove all or any of the following: paint, glue, sticky fingerprints, milk, gravy, sick, blood, felt-tip pen marks, clay and the ever-present smell of school disinfectant.

It should also be warm enough for days when the boiler breaks down.

Yours, in a not too shabby jumper and skirt,
PAM TULL,
(Infant school teacher, 1966-93),
10 Carreys Cottage,
Brockenhurst, Hampshire,
November 4.

Blair's ideology

From Dr Ian D. Thatcher

Sir, Much as I enjoyed Mr Blair's little essay ("Towards a decent, responsible society", November 4), I must warn him that a recent socialist leader who believed in "stripping away outdated ideology and applying traditional values in a modern way", Mikhail Gorbachev, promptly led his country to disintegration.

Yours faithfully,
IAN THATCHER,
University of Glasgow,
Institute of Russian and East European Studies,
29 Bute Gardens, Glasgow G12.
November 4.

Hair today...

From Mr Andrew Jackson

Sir, A Tory official has told us (report, November 7) that Mr Major's "full head of hair stands up and is counted in its own right".

It sounds even more curious than Mr Blair's.

Yours faithfully,
ANDREW JACKSON,
266 Hertfordbury Road,
Hertfordbury, Hertfordshire.
November 7.

gone tomorrow?

From Mr A. R. Beard

Sir, Leading the Labour Party must be enough, to make anybody fear their hair out.

Yours faithfully,
ROBERT BEARD,
Scobbscombe,
Kington, Kingsbridge, Devon.

OBITUARIES

NEVILLE ROBINSON

Neville Robinson, Fellow of St Catherine's College, Oxford, 1962-92, died of a heart attack in Colmar, France, on October 19 aged 71. He was born on April 13, 1925.

Neville Robinson was not merely an Oxford don but a physicist extraordinaire. Although he had officially retired from his university posts in 1992, his academic activity had continued unabated. He died at the beginning of a six-week research visit to Strasbourg. Born in Cambridge, Frank Neville Robinson attended The Leys School and graduated in physics from Christ's College. From 1945 to 1950 he was a scientific officer at the Services Electronic Research Laboratory, Baldock. He then went to Oxford as a research student for his doctorate, and continued thereafter as a Nuffield Research Fellow.

He, Jim Daniels and Michael Grace achieved the first example of nuclear orientation: this was followed by the first nuclear cooling experiment in 1951, which produced the West ever temperature at that time: ten millionths of a degree above Absolute Zero. Already, in these early years, his sense of humour and quick wit were an important part of the camaraderie during the long hours of late-night experiments. He was a Faculty Fellow of Nuffield College from 1957 to 1962, and while there he put forward a proposal that the college heating system should derive its heat using a heat pump based on the laws of thermodynamics, from a nearby Oxford sewer, but the idea was not taken up.

In 1962 he was elected as a Founding Fellow of the new St Catherine's College (formerly St Catherine's Society) and shortly thereafter became a senior research officer in the Clarendon Laboratory. It was in the college context that Robinson's gifts as a tutor were given full rein, for it was soon evident that his under-



graduates found him to be an inspirational teacher. As one of them remarked: "No one can spend long in his company without being made to think about things in a different, meaningful way." Central to his success were his gifts as a physicist, as a master both of experimental techniques, particularly in electronics, and in the relevant mathematical formalism. For students and colleagues alike, Neville Robinson was a man to be revered, interested in everything and everyone, almost totally intolerant of pretension and inaccuracy,

devastatingly authoritative as a critic, but endlessly willing to expound, in the company of his colleagues, yet one more time on the real understanding, which so often he alone possessed, of arcane areas of physics. Professionally, he made his mark early on with a paper on "Microwave shot noise and minimum noise factor", for which he was awarded the Clerk Maxwell Prize of the British Institute of Radio Engineers. His invention of the Robinson Marginal Oscillator marked the beginning of real scientific success in the field of

nuclear magnetic resonance, the fundamental basis of all MRI systems used in hospitals worldwide today. Robinson's Oxford career was punctuated by regular periods of sabbatical leave. On three occasions (1954-55, 1965-66, 1973-74) he visited the Bell Telephone Laboratories and, both there and elsewhere in the United States, he consistently refused offers of academic posts. His expertise in electronics was legendary. Not only were his circuits novel, miniature and beautifully constructed, but an absolute requirement

was always that they had to go inside a tobacco tin or snuff box — of which he kept a plentiful supply. He was constantly on the lookout for bargain price components, and would frequently saturate the laboratory with many years' supply of, say, cheap resistors.

His publications were nearly always on fundamental matters, and, of his books, *Macroscopic Electromagnetism* (1973) in which he gives an excellent discussion of the nature of microscopic fields in solids, a problem first raised by Lorentz, is now the standard text.

He always had the greatest respect and admiration for the works of Lord Rayleigh, and delighted in being able to refer to him in publications. Following the untimely death of his close colleague (and Fellow at St Catherine's College), Harry Rosenberg, he was beginning to take a keen interest in the cataloguing of the Rayleigh papers and memorabilia.

In his last years Robinson made considerable contributions to the physics of non-linear systems, almost entirely through his ability to simulate the appropriate physical behaviour with comparatively simple but extremely well designed electronic circuitry.

As a physically-orientated mathematician, rather than a mathematical physicist, Robinson was regarded by colleagues as being in a class of his own for speed, accuracy and perception. His ability to quantify almost every physical phenomenon known to man enabled him to propose fascinating new mathematical models in quantum theory, mechanics, relativity and especially electromagnetism.

But, for all this, his feet were always firmly on the ground. He used to tell, with relish, of his uncle who as a plumber developed the ultimate test for the efficiency of a newly installed lavatory: could one get rid of an entire copy of a daily newspaper in a single flush?

A man devoted to his family, he leaves his widow, Daphne, two daughters and a son.

GROUP CAPTAIN PATRICK FOSS

Group Captain Patrick Foss, OBE, a founder of RAF Air Transport Command, died on November 6 aged 82. He was born on November 8, 1913.



THE emergence of British Airways — in the shape of its forerunner BOAC — after 1945 owed much to the wartime experience of RAF Transport Command. As the war dragged on, men and materials, until then carried by sea, increasingly took to the air in flights that spanned the world.

Much of this development started during the North Africa campaign and the siege of Malta, both theatres of war in which ships were shown to be easy targets for aircraft and submarines. At the heart of it was Patrick Foss, then a young wing commander.

Educated at Pangbourne Nautical College, Foss joined the RAF in 1932, though with a view to a career in civil aviation. But the war claimed his services and he was to remain an RAF man. In the summer of 1940 he flew in the Battle of Britain and took part in early bombing raids over Germany.

He was subsequently sent to Malta where he commanded a Wellington squadron operating from the island in sorties against Sicilian and southern Italian ports. Naples, Bari and Brindisi were all raided in the autumn of 1940 with the aim of harrying Italian supply lines to their forces in Albania — from where they were attacking Greece — and in Libya.

In addition to being a potential hornet's nest of bombers Malta was also used as staging post for aircraft flying from Britain to Egypt where the Desert Air Force was being built up. This was a flight on which they were extremely vulnerable to attack by the air forces of both the Axis allies, quite apart from the fact that accurate navigation was required to find such a small island and many of the ferry crews were not particularly experienced, since seasoned crews were desperately required for the air defence of Britain.

Foss discovered that the casualty rate in ferrying aircraft to Malta — one in four was lost — was higher than that sustained by Bomber Command on operations over Germany. This angered him, and he drafted a training pamphlet *How to find Malta in the dark*. It caught his seniors' attention and he was ordered to report to the Air

Ministry in London. Aged 27, he was appointed Assistant Director of Organisation, Ferrying.

As such, he was responsible for organising the transport of airborne invasion forces as well as for flying high-ranking Russian and American officials and British VIPs. They included Churchill on his secret missions to the Mediterranean, Cairo, Casablanca, Moscow and eventually Yalta. In his autobiography, *Climbing Turns*, Foss describes his first encounter with Churchill. The Prime Minister asked: "Who is this young man?" Informed that Foss was his air transport adviser, Churchill looked at him and said, "So you are taking me to see Joe?" For a wild moment, Foss could not think who Joe might be. Then he realised that Churchill meant Joseph Stalin. "Yes, Sir," he replied. "Well," said Churchill, "what will it be like in Tehran? Will I need warm underclothing?"

In March 1943 Foss was promoted to Group Captain (Operations) to pioneer the newly formed Air Transport Command. Within a year, the new command had expanded from ten people to 700. During the D-Day landings in Normandy, Transport Command's 38 Group carried the Army's airborne forces in some 300 Dakota C47s.

Towards the end of the war, Foss was posted to command the new School of Air Transport at Netheravon on Salisbury Plain. "Nothing better could have happened to me," he said later. "It was an opportunity to advance the cause closest to my heart — to train officers, who were being moved from fighting commands to transport, in the ways of operating and managing a new concept of flying."

By the end of the war, some 300 officers had passed through the air transport school.

A cheerful and unsophisticated faith characterised Foss, both in war and peace. In the 1930s he had become a recruit to the Oxford Group (later Moral Re-Armament) which had challenged him to make a daily practice of "trust and teamwork, coupled with asking God to show what is right", as he put it. From this, he claimed, sprang much of his initiative and willingness to carry responsibility.

In early 1947 he set out — supposedly to recuperate from the exhaustion of war — with two companions on a hazardous journey piloting a single-engine Percival Proctor across Europe and via Kenya to the Cape. Kenya became his second home, and he moved there with his wife Margaret after their marriage in 1952.

There, they devoted their whole time to Moral Re-Armament. It was the period of the Mau Mau uprising against British colonial rule. Foss got to know Jomo Kenyatta, later Kenya's first President, and others of Mau Mau's Kikuyu leaders. He perceived that such men, arrested for their involvement in the Mau Mau underground, should not be merely held in detention camps but reorientated to lead their people in nation-building.

This led to the creation of a new camp at Athi River where such an approach was applied. Many who went through the Athi River experiment went on to hold responsible posts in independent Kenya. Patrick Foss returned to England in 1960. From 1961 he acted for 20 years as secretary of the Friends of the Westminster Theatre, which at the time served as one of MRA's main propaganda arms.

He leaves his widow Margaret and a son and daughter.

PRINCE GUY DE POLIGNAC

Prince Guy de Polignac, former managing director of the champagne house Pommery & Greno, died on October 18 aged 91. He was born in Paris on April 29, 1905.



GUY DE POLIGNAC was the eldest of three sons and two daughters of Prince Henri de Polignac, an air ace who was killed in action in the skies over Champagne in 1915. His mother Diane belonged to the county (as opposed to princely) side of the family. Through her, de Polignac was a cousin of Prince Rainier of Monaco.

The Polignacs are an old French family, established at Chalonon in the Haute Loire as long ago as 1205. Jules Francois-Armand, Vicomte de Polignac, who died in 1817, established three lines of the family through his sons, of which the ducal line has died out.

Guy was the head of the princely branch. He served in the French cavalry, held the Croix de Guerre and was a Commander of the Legion of Honour. He was on the board of the

Petit Parisien from 1937 to 1957 (his wife being the granddaughter of the proprietor, Jean Dupuy), and vice-president of Excelsior Publications from 1940 to 1953. From 1952 to 1980 he was president and director-general of Pommery & Greno.

One of his abiding passions was the Order of Malta, of which he rose to become Bailiff Grand Cross. From 1952 to 1975 he was president of the French enterprises of the order concerned with hospitals. During these years the

order was established in Africa, two leper villages were built in the Congo and de Polignac led delegations to Africa. In addition, the first dispensary was established in the Lebanon in 1956. De Polignac was also president of the society of the history of the order.

De Polignac came to champagne through his maternal grandmother, Louise Pommery. He welcomed the increase in champagne consumption in Britain in the late 1950s. But thirty years later he detected a decline in British consumption which he attributed to heavy import duty.

His staff always received a bottle of Pommery with their Friday wage cheque. When asked at what age the young should be introduced to champagne, he pronounced: "It should wet a baby's lips at christening, and one should drink a glass before dying. In between, that is up to you!"

De Polignac married, in 1931, Gladys Dupuy and they had a son, Henri (born in 1930, but killed in a plane crash) and four daughters. His wife died in 1987.

BOX HILL SAVED.

In the spring of the present year considerable concern was occasioned by the circulation of a statement to the effect that Box Hill was about to be sold for building purposes. Box Hill had been so long resorted to by the public as an open space possessing attractions of unusual interest and beauty that it had come to be regarded in the popular mind as a public possession. The societies accustomed to the difficult task of preserving public rights fully realized, however, that, in a strictly legal sense, the rights of the people over Box Hill began and ended in the right to use the few defined roads and paths which traverse the land. It is true that, by the generous forbearance of the owners, people had for generations been allowed to wander at will through the plantations of box trees and groves of venerable yews which clothe the slopes of Box Hill with a perennial mantle of verdure. It is true too, that picnic parties had been allowed freedom of access to the brow of the hill, which looks out over glorious vistas of park and meadow, woodland and moor, flecked here and there with the red roofs of villages, or bright patches of water marking the site of ancient fish ponds. But such use is insufficient to establish any legal claims that can be advanced to prevent inclosure or

ON THIS DAY

November 8, 1913

George Meredith lived near this well-known Surrey beauty spot and in an inn near by Keats is said to have completed *Endymion*.

building, particularly when, as at Box Hill, the land cannot be shown to be a common. In these circumstances, it was realized that nothing remained save to buy out the private interests of the owner, and, accordingly, negotiations were at once opened by the National Trust and the Commons and Footpaths Preservation Society for the acquisition of the hill. Steps were taken to secure an option for the purchase of the property with a view to the issue of an appeal for the large amount which was necessarily involved. Fortunately, however, the need for concerted action on the part of the open space societies has been obviated by the public

spirited intervention of a resident in the district, and we are happy to be in the position to announce that a contract has now been signed for the purchase of the land in order that Box Hill may be permanently preserved for the use and enjoyment of the community. The benefactor to whom the nation is indebted for this magnificent gift is Mr. Leopold Salomons, of Norbury Park, Dorking. The action of Mr. Salomons may be attributed to the happy coincidence that, from the beautiful grounds of Norbury Park, crowds of pedestrians may be seen on any Bank Holiday toiling up the steep glissade above Burford Bridge; knowing therefore, from personal observation how greatly access to the hill is appreciated by the public, Mr. Salomons resolved to take the necessary steps to ensure that those who value Box Hill should never be deprived of their accustomed privileges. He may rest assured that, by his munificence, he will receive the gratitude of the thousands of town-dwellers to whom an excursion to Box Hill has been a never-failing source of delight. Mr. Salomons, too, has placed under a lasting obligation the growing band of enthusiasts who have found in this famous stretch of unspoiled upland scenery welcome facilities for following their bent without irksome restrictions.

JOHN GREGORY

John Gregory, dancer, director, teacher and writer, died on October 27 aged 82. He was born on April 15, 1914.

JOHN GREGORY was a dreamer who fell in love with ballet — specifically with Russian ballet — and spent the rest of his life trying to realise his dream. As dancer, director, choreographer, teacher, organiser and propagandist, he was indefatigable. Although his efforts came to less than he hoped, he never lost his enthusiasm or determination.

His most valuable idea, probably, was that of forming a small company to take classical ballet to towns, colleges and schools unable to accommodate larger companies. Harlequin Ballet, as it was called, ran for nearly ten years from 1959 and demonstrated a need for such activity which has not really been met by the various subsequent attempts under other management.

Before discovering ballet,

Gregory had already spent some years in other kinds of artistic activity. Born in Norwich he began to work in a cattle auctioneers' office, but developed an interest in acting and was involved for five years with the Norwich Players at the Maddermarket Theatre, where he learnt stage management under their producer Nugent Monck and worked his way up from walk-on roles to parts which included Eugene Marchbanks in *Shaw's Candida*.

The painter Edward Seago admired Gregory at the Maddermarket and engaged him as his personal assistant. During this period Gregory himself began to paint and for the rest of his life derived pleasure from it. It was also Seago who first took him to the ballet, seeing de Basil's Ballet Russe in London and René Blum's rival, Ballet Russe de Monte Carlo, in New York. Watching works such as *Les Sylphides* and *Giselle*, and dancers including Markova, Riabouchinska, Lifar and Massine inspired Gregory



with his devotion to the dance. Consequently, when he had parted from Seago and was working as an understudy at the Westminster Theatre, Gregory began attending evening classes in ballet given by Igor Schwetsov. He had started, in his mid-twenties, far too late to become a notable dancer, but he was

able during the war (when he had registered as a conscientious objector) to find employment dancing in operas, musicals and with various small companies, including the Anglo-Polish ballet where he met his wife, Barbara Vernon. She had been one of the favourite pupils of the late

Nikolai Legat, an outstanding teacher from St Petersburg who settled in London, and she instilled in Gregory Legat's methods and theories. Together in 1949 the couple, after starting a family, opened their own school of Russian Ballet in Chelsea and the next year formed the Federation of Russian Classical Ballet.

Harlequin Ballet was formed from their pupils and for a time attracted Arts Council support. Tamara Karsavina was persuaded to mount extracts from Petipa's *Les Millions d'Harlequins* for them, and other distinguished names lent their patronage. Probably the most popular items were the lively folk dance compilations which usually closed the programmes. Presentation was always scrupulous and neat, but the dancers available to them were not of the highest standard and eventually the subsidy was ended, forcing the company to fold in spite of all the protests Gregory was able to make.

Thereafter the couple continued to teach and lecture in many parts of the world, and Gregory wrote several books, including one on Legat and another on ballet in St Petersburg. He also contributed articles to newspapers and magazines. In spite of illness, he was working on other books up to his death. To mark his eightieth birthday he and his wife established the Legat Foundation, and Barbara Vernon's collection of memorabilia is to be preserved at Bretton Hall, Wakefield.

He is survived by his wife Barbara and their son and daughter.

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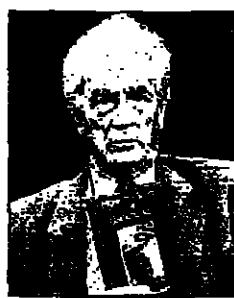
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BUSINESS EDITOR Lindsay Cook

FRIDAY NOVEMBER 8 1996

Costain future in doubt on freezing of shares

By Eric Reguly

THE future of Costain was in the balance last night after the ailing construction and engineering group suspended dealings in its shares.

The suspension, the second this year, came as the shares were trading unchanged at 46p, giving the company, the industry's fallen star, a market value of only £95 million. Costain said that the suspension was pending news of its "continuing asset disposal process and subsequent financial arrangements".

No details were available and even Costain's brokers said that they had been given no hint about the pending announcement, which will probably be made this morning after a board meeting.

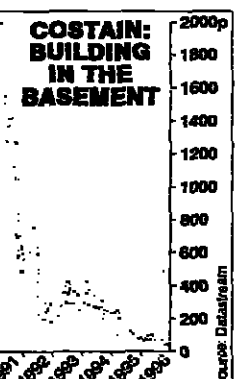
One analyst said it is possible that Costain, given its track record, will say that no buyer has been found for its coal business. He said the collapse of the company could not be ruled out, though the probability was thought to be small because of a financing earlier this year.

The coal business, with a book value of about £50 million, has been for sale for some time. Its disposal considered crucial to securing the heavily indebted company's long-term financial health.

Costain disappointed shareholders in July when it disclosed that a deal to sell the coal business to Lomho had fallen apart at the last minute. Only three days earlier, Costain had said that an agreement had been reached. An analyst said: "They could have sold the coal division two or three times in the past, but they always backed off because they thought they could get a better price."

Costain seemed to be on firmer footing in the spring when it raised £74 million through a rescue package that gave a 40 per cent equity stake to a new Malaysian investor. However, the group was soon hit by construction delays on the Newbury bypass and lack of new contracts. As a result, it reported a £19.2 million interim loss (loss of £10.4 million, previously).

At the time, Alan Lovell, chief executive, said that Costain was "feeling good about life".



Discounter opts for reductions as profits plunge in face of competition

Kwik Save to close stores and cut staff

By Noel Fung

KWIK SAVE GROUP is to close 107 stores and shed 1,900 staff after a widely expected plunge in full-year pre-tax profit to £90.3 million.

On top of the 28 per cent dive in pre-tax profit before exceptional, a store closure-related provision of £87.5 million further crushed the figure to £2.8 million. But shares in the group rose 17p to 321p on news of the restructuring.

The discount retailer has fallen victim to the introduction of basic ranges from the main supermarket chains and competition from European rivals. The loss per share was 14.61p, compared with earnings of 51.68p last year. Despite the meagre profit, the group declared a final dividend of 14.05p, maintaining its full-year dividend at last year's level of 20p a share.

Graeme Bowler, chief executive, said: "Despite the profit decline, we maintained our dividend payout because we have a strong cashflow and balance sheet. That also showed our confidence in the new strategy."

The strategy, dubbed New Generation Kwik Save, was the result of the £4 million consultancy work by Arthur Andersen commissioned earlier this year to rescue the group from sagging profit and shrinking market share. Although the review introduced widespread changes to the group, retail analysts showed reservations over its effectiveness in fending off competition and enhancing profits.

The review will trim the

group's store total from 979 to 872 over the next year and cut 1,900 jobs from its 23,000 staff. Scotland tops the list with 25 closures, followed by the South East and London.

Mr Bowler said the group has been talking to the unions and was confident that the group could take in 90 per cent of the staff affected. "With the high attrition and staff turnover rate, we should be able to relocate about 90 per cent of the people within our group."



Bowler: initiatives

Mr Bowler said. The group will launch its own quality label products covering 100 lines starting from spring next year as alternatives to the national brands. Coupled with the "no frills" economy range, there will be a three-tier brand choice.

Other initiatives include broadening the ranges in chilled and convenience food, health and beauty, making fresh foods a priority and giving stores a face-lift to make

them more user-friendly. Three quarters of its business systems will be replaced, and electronic payment equipment will be upgraded.

The total cost of the restructuring is £105.5 million, with £87.5 million included as an exceptional item last year and a further £18 million spread over the next two years. Projected capital expenditure for next year is £30 million, rising to £100 million the year after.

The group reckoned that the investment could be recouped in three to five years' time. Lawrence Sugarman, analyst at Kleinwort Benson, said: "In terms of future, there is a lot of hope, but little in terms of concrete evidence. I am not convinced that this is the mark for the company's turnaround." But in view of shedding the loss-making operations and the investment in upgrading services, he adjusted the profit forecast for next year upwards from £75 million to £81 million.

Paul Smiddy, Credit Lyonnais Laing analyst, said the shake-up, was a high risk venture that incurred high overhead costs. He reduced his profit forecast from £74 million to £61 million. "It is trying to emulate the supermarket leaders," he said.

Kwik Save maintained its market share of 8.3 per cent last year, with nine million customer transactions a week, making it the fifth-largest retail chain in the country.

Pennington, page 27
On the margins, page 29



Kwik Save shoppers can expect to find that the remaining stores will be more user-friendly

Rate fear pushes market lower

By Michael Clark, Stock Market Correspondent

THE prospect of another rise in interest rates hung over the stock market as both government securities and equities suffered further hefty falls.

The 95-point rise by the Dow Jones industrial average on Wall Street overnight, which greeted President Clinton's election victory, failed to have much impact in London where an early 17-point lead by the FT-SE 100 index was quickly reversed.

At one stage, the index dipped briefly below the 3,900 support level before closing 35.3 down at 3,900.4. It has now fallen 172.5 in just over a fortnight since hitting its all-time high of 4,073.2 on October 21.

Investors in London chose instead to concentrate their attention on Wednesday's call by the Bank of England for another rise in interest rates. Only last week, Kenneth Clarke, Chancellor of the Exchequer, signalled the first increase in rates for two years

with a quarter-point rise to 6 per cent.

But the move was criticised by City economists who said he could have been more adventurous. They recognised the need for a tightening of monetary policy to fight inflationary pressures, but complained that a rise of half a point would have been comfortably absorbed by the market and avoided the nervousness created by the prospect of having to face up to another rise.

Government securities have been particularly hard hit by the move to dearer money. Prices were again falling sharply yesterday with losses at the longer end stretching to £1 in places.

The strength of the pound is also proving difficult for Britain's exporters with double-digit losses commonplace among blue-chip companies.

Stock market, page 28

Stake in Chelsea Village may be sold after dispute

By Jason Nisse

THE trustees of the estate of the late Matthew Harding may sell his 25 per cent stake in Chelsea Village, the owner of Chelsea, the Premiership football club, after the resignation of Peter Middleton, the former chief executive of Lloyd's of London.

Mr Middleton, who now heads the European operation of Salomon Brothers, was described by advisers to the Harding estate as "representing Matthew's interests" on the Chelsea board.

He had been involved in negotiations, before Mr Harding's death, to bring in fresh equity finance to the club to enable it to move swiftly forward with the redevelopment of the south and west stands of Stamford Bridge, Chelsea's ground.

Alan Shaw, Chelsea's company secretary, said that Mr Middleton's departure would not change the club's plans for the ground. He also said that

neither of the rumoured investors in the club — George Soros or Mark McCormack's IMG Group — had been in touch with Chelsea.

Mr Middleton stormed out of the club on Wednesday night after a boardroom row with Ken Bates, Chelsea's controversial chairman. His departure comes ten days after the Chelsea board gave its unanimous support to Mr Bates, and Mr Middleton went on record saying: "Nothing will happen at Chelsea unless Ken Bates agrees with it."

A board meeting had been called on Wednesday evening to discuss issues to do with the development plans. Minutes after it started Mr Middleton

tended his resignation. He then walked out of the meeting which continued without him. Mr Shaw dismissed suggestions that Mr Middleton had proposed appointing another independent director to the board or was pressing to be appointed chairman of the company in place of Mr Bates.

However, the position of deputy chairman, which had been guaranteed to Mr Harding until the middle of 1999, remains vacant.

Chelsea shares fell 11p to 96p on the news. Mr Middleton declined to talk to *The Times* about his resignation.



Middleton: resigned

Goldman Sachs trader resigns

By Robert Miller

THE senior gilt trader in Goldman Sachs, one of the biggest American securities firms, yesterday resigned his post in London amid market speculation that the US firm has lost millions of pounds in a failed bid to corner the latest Bank of England gilt auction.

Goldman Sachs, which in the first nine months of the financial year reported worldwide profits of \$1.8 billion, last night confirmed that Andrew Duthie, 30, who joined it 2½ years ago from Salomon Brothers, had left, but declined to comment on speculation or explain the abrupt departure. The auction at the centre of the controversy was the £1.5 billion issue of 8 per cent 2015 gilts.

Bank of England rules on gilt auctions state that no one firm or market-maker can take more than 25 per cent of any one issue directly onto its books, although much larger holdings can be spread be-

tween a number of clients. The Bank has been kept fully informed of the situation by Goldman Sachs, which has also confirmed its commitment to the UK gilt market.

One City gilt trader said: "It appears that Goldman Sachs tried to corner the market in this particular issue and what they could not take on themselves they persuaded clients to step in and buy. The market caught on to what they were doing and decided to have some fun. As the prices fell, the clients became uncomfortable and decided they wanted to get out."

The speculation is that, as well as buying up to £1.5 billion worth of the gilts auction, Goldman Sachs had similar exposure to the futures market with up to 4,500 gilt contracts. The futures position is said to have been closed down on Friday.

Mr Duthie is registered with the Securities and Futures Authority.

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□ Holiday firms fall out over OFT □ Kwik Save tries to engineer a recovery □ Shedding light on Limelight

Bags packed for the MMC

IF you think the brochures you pick up from travel agents are economical with the truth, you should hear what a couple of the holiday companies were saying about the Office of Fair Trading's decision yesterday. Perhaps we should put it down to shock, because no one had expected the matter to go to the Monopolies and Mergers Commission.

It is hard to reconcile the versions of events given by Airtours and by Thomson Holidays, while the OFT is maintaining a suitable silence over the confidential negotiations that led to its decision. The vertical integration gained by putting together those businesses providing package holidays and the high street shops that sell them has long been attacked by small operators, who claim their product is either denied shelf space at such shops or priced less attractively than their own product because the shops demand too high a margin to sell it. Their complaints are understandable; the integration would never have taken place if it did not offer some competitive advantage.

We had all assumed that the OFT would cobble together a set of undertakings from Thomson and Airtours, the market leaders with 32 and 20 per cent between

them, a sort of code of practice for the holiday industry, and then impose it on the other two similarly integrated businesses. In this way a reference to the MMC could be avoided, along with much uncertainty all round.

The 12 per cent fall in Airtours' share price looks an overreaction, but the year-long inquiry could be nasty for the industry, as the MMC could even require the shops to be sold. The OFT has looked at this issue twice before, when Airtours bought Pickfords in 1992 and Hogg Robinson a year later, and cleared both deals. The reference now is a tacit acceptance that this was the wrong decision.

Airtours was happy to accept the required undertakings but Thomson was not — probably because they appear to have been a completely different set for each company. Airtours was asked to make sure customers knew of the common ownership between the product they were buying and the shop they bought it in — they are already told quite explicitly — and to promise not to

use its clout to fix prices. Thomson's interpretation of these undertakings was the virtual creation of a holiday industry regulator, a veritable Ofhol, fixing prices and setting almost all the terms under which the companies are allowed to contract with their suppliers.

Yet the OFT says the undertakings put to each were identical. The answer is in the interpretation; Thomson was unwilling to accept any interference, and so took the bleakest possible view. It is now up to the MMC to sort it out.

Old problems for New Generation

NEW GENERATION has a naif ring to it, sounding like a 1970s light entertainment dance troupe, so it is an entirely suitable name for the relaunch of Britain's naifest food retailer, Kwik Save Group. This is probably the company's last chance to extricate itself from the corner into which it has been forced.



Kwik Save is wedged between the foreign discount chains such as Aldi and Netto, providing the lowest prices around and a zero-frills service even if their market share is still small, and the supermarkets intruding onto its patch with their own attractive if selective discounting. Profits last year, before one-offs, fell 28 per cent, and margins were down 0.1 per cent.

The usual management consultants were hired, and the options identified thus: take on the foreign discounters; become a chain of convenience stores, although this would have meant the closure of many more outlets than the 10 per cent identified

yesterday; take on the supermarkets, by fielding a range of own-label products, while keeping prices for known brands low.

The decision has been the latter course, arguably the most difficult. Kwik Save has asked its shoppers what they want, and they have come up with an expensive wish list. A range of three brands — a well known one, an own label in the middle and a very cheap substitute. Plus a wider range of fresh produce, and convenience foods for the less budget-conscious. All this is already available at big supermarkets, and Kwik Save's difficulty will be to distinguish what it is offering from what these rivals offer. The only way it can be done is on price, which means slimmer margins.

The City was dubious about Kwik Save's chances of success, even if a maintained dividend helped the share price to rise. The required improvements to stores will have to be funded from profits along the way. Some problems may be beyond the help of even the cleverest

management consultant. The shares have halved over the past year, but this seems little reason to scramble for them.

To buy or not to buy

NEXT week's £175 million flotation of Limelight Group is like Hamlet without the Prince. Stephen Boler, the Cheshire Svengali who built up the business, sold it to ADT and bought it back again, is taking a back seat in the company and cashing in two thirds of his chips.

Mr Boler wants to concentrate on other business interests, such as game parks in the Kalahari desert and Manchester City football club. Had he not decided to go quietly, merchant bankers N M Rothschild might well have had to push him.

Having made his first fortune selling an exhaust company to Kwik Fit, Mr Boler moved into furniture with a business called Kitchen Queen, bought from the ailing Moben Group in 1980.

Within a few months Kitchen Queen and its sister company, Wharf Mill, were in the hands of the receivers. As this was a long time ago, and Mr Boler is only a non-executive director of Limelight, there is no mention of these failures in the prospectus.

No mention is made either of the troubles of the Limelight business Moben, only saved from receivership in 1985 by Kean & Scott, a business which also bought Mr Boler's Kitchens Direct for £22 million. Kean & Scott became part of Michael Ashcroft's ADT, until Mr Ashcroft became bored of it and sold it back to Mr Boler for a song in 1989.

Meanwhile Mr Boler was having fun with another company, Advanced Technology Industries, which he and his partners sold to the Pound-stretcher group, Brown & Jackson, in a deal that was terminated after B&J had paid £8.8 million. Mr Boler bought the business back for £500,000.

Whether Mr Boler's absence from centre stage will be a plus or a minus for Limelight is hard to assess. What is clear is that Mr Boler has become exceedingly wealthy while those who enter into deals with him tend to lose out. As he is selling shares, do you want to be buying them?

All-round growth gives Burton 54% increase

By SARAH CUNNINGHAM

BURTON GROUP profits rose 54 per cent last year, with all its divisions, from Debenhams to Top Shop, delivering increased earnings.

The company yesterday reported that in the year to August 31 it made a pre-tax profit of £151.6 million (£98.6 million). Sales from ongoing business were up 7 per cent to £2.2 billion. In the first nine weeks of the current year, trading has been encouraging, with sales up 8 per cent.

Burton Menswear returned to profit for the first time in three years, bringing in £3.3 million compared with a loss of £4.2 million a year ago.

According to John Hoerner, chief executive: "It hasn't moved as fast as we would have liked. It is in a very tough competitive situation. Burton Menswear had become a very tatty business. I thought it was pretty bad and a lot of customers did too."

The group is set to increase total space at Debenhams by 20 per cent over the next four years. It has opened two new stores, in Lincoln and Dublin, in the past week and has six new openings planned, with contracts on nine further sites being finalised.

Mr Hoerner said the launch of Burton into home shopping

in the next two years should involve all its brands. The group has bought Innovations and Racing Green, the home shopping specialists, in the past year and has set up a division to prepare for the launch of its own brands.

He said he expected the home shopping business "to support itself financially" as we go in. "I would be surprised if the decision to do this has any material effect on profits for the next three years. Then it will be positive". The company was moving into home shopping to ensure longer-term growth, he said.

"We are approaching this

from the standpoint of what our customers' lives are going to be like four or five years from now," he said. "It is about staying with the customer." While Burton's home shopping will start with catalogues, it is likely to become more electronically based in the long run, he said.

The dividend for the full year has been raised 27 per cent to 2.5p per share on the back of a 50 per cent boost in earnings per share to 7.8p. The final dividend of 1.65p, up 38 per cent, will be paid on February 21.

Tempus, page 28

Ann Street cheered by 27% growth

ANN Street Brewery reported a 27 per cent increase in half-year profits, to £4.3 million, despite facing a mixed trading environment in its Channel Islands and French drinks operations (Alasdair Murray writes).

Turnover rose 17 per cent, to £46 million. The company added that trading in the UK and Channel Islands was still mixed in the second half, while sales in France were being hurt by a fall in demand for soft drinks, in line with the rest of the French soft drinks industry.

The interim dividend was increased 20 per cent, to 6p, payable on December 16. The shares closed down 3p at \$1.5p.

Boots confident of a recovery for Do It All

By SARAH CUNNINGHAM

BOOTS expects Do It All, its loss-making DIY business, to have positive cashflow next year and to go into profit once it has disposed of all its poorly performing stores, Lord Blyth, chief executive, said yesterday.

Boots bought out WH Smith, its joint venture partner, in June and has since disposed of 11 Do It All stores. More disposals are being negotiated.

Lord Blyth said he was "pretty confident we can make this business work". He added: "Whether in the very long run Do It All is a business where we can continue to add value, we'll see." But he said that there were no current plans to dispose of the business.

The Boots group made a profit of £239.2 million in the half year ended September 30, a rise of 9.4 per cent. Do It All cut its loss to £3.7 million compared with £9.6 million a year ago.

Like-for-like sales at Do It All increased 6 per cent on a like-for-like basis. At Boots the Chemist they were up 4.6 per cent; at Halfords, up 3.2 per cent; at Boots Opticians, up 6.1 per cent; and at AG Stanley, up 9 per cent.

Lord Blyth said: "We are encouraged by the general improvement in the retail trade... We are confident of good season sales despite an increasingly competitive environment."

He said the recent Office of Fair Trading decision — to ask

the courts to reconsider whether resale price maintenance on over-the-counter medicines should continue — was disappointing. He said he "believes that RPM should remain in force because consumer interests are best served by retaining the service to local communities currently provided by pharmacists". But he insisted that, whatever is finally decided, "Boots the Chemist is well placed. Past experience suggests that the business would emerge with increased market share".

Earnings per share were up 13.1 per cent to 17.3p and the interim dividend has been lifted 8.5 per cent to 6.2p.

Tempus, page 28

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THE TIMES

CITY DIARY

A joke too far

STAFF at Schroders listened in horror on Wednesday as their boss took to the floor at the AUTIF annual dinner. Clive "Bawdy" Boothman, Schroders managing director and AUTIF chairman, almost put guests at Grosvenor House off their food, in his lame attempt to raise a laugh.

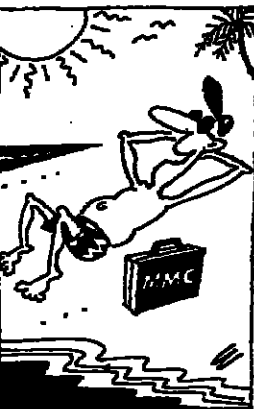
Where has Boothman been hiding since the days when Bernard Manning was referred to as a comedian? Diners were surprised to hear him say: "They've invented a new toy called the Gaza Walkman. One battery, and it still plays."

Middleton sells

PETER MIDDLETON waved goodbye to Chelsea Football Club and Yorkshire in the same week. The chief executive officer at Salomon Brothers International has sold the house that he bought with his first wife on the edge of the North Yorkshire Moors National Park. Neighbours in the village of Lastingham commented on the neglected Honda 250 in the drive, and the lonely house, that they nicknamed the Marie Celeste. The School House was put on the market a few months ago at about £160,000.

Up and up

DAME Pauline Neville-Jones has done it again — this is her second promotion since she followed in the footsteps of Douglas Hurd and joined NatWest Markets in February. From managing director to global head of business strategy only six months later, Dame Pauline was yesterday announced chairman of NM France. As a former political director and Deputy Under-Secretary of State under the Foreign and Commonwealth Office, and a stint as senior adviser to Carl Bildt, the special negotiator in former Yugoslavia, she is continuing to build on her colourful career.



"Nothing but work, work, work"

Kilsby for BZW

THE Kilsby couple have much to celebrate after the announcement yesterday that Mrs Kilsby has been appointed managing director of BZW's corporate finance division. Fresh from the Bankers Trust American-born Susan has built up a considerable reputation as an adviser to companies in the consumer products sector. Her husband, Richard, the high-tech detective at the Stock Exchange, put her name in the gossip columns when he bid £300 at the Big Bang party for a collection of commemorative plates that he then gave to her as a last-minute birthday present.

Out with a bang

PETER MINCHIN'S retirement party after 20 years in City regulation went with a bang. After a weighty Enforcement Committee meeting on Tuesday, the former chairman and scourge of City brokers was treated to a farewell lunch. As it was Guy Fawkes Day, the SFA chief decorated the cake with sparklers. Unfortunately, the fire alarm went off and the building had to be evacuated.

MORAG PRESTON

Europe's welfare depends on Britain joining EMU

If the UK wanted to join monetary union, it would be allowed to

A year ago I wrote two articles in these columns discussing the problems of the "Anglo-Saxon" underclass. They resulted in a short book published yesterday, in which I have aimed to deepen the research and expand the scope of the discussion. In particular I have expanded the scope to include Western Europe.

Today I want to think about the underclass and the forthcoming election.

My basic thesis is that over the past quarter century a significant minority of the general population, in which whites are as strongly represented as in the rest of the country, has been left out on education, and now in consequence does very badly economically. In the US, the main result is low wages; in the UK, both low wages and "non-employment". Both in the US and the UK, at least a third of working-age males who have only a basic education (no GCSEs in the UK, no high-school diploma in the US) are non-employed or statistically lost. They survive somehow doing this and that, including drug-dealing and crime. And in both countries, over the whole length of the quarter century, real hourly earnings at the bottom end of the wage distribution have stagnated or actually declined.

In my book I have elaborated the idea that what we are seeing is a perversion of meritocracy. In opening up the education system we create a new elite of brains, leaving the less able out on a limb. Why has the economic system in recent years moved yet further against people who happen to be born into below-average ability, aspirations or "merit"? The answers suggested by the research of British and US scholars are manifold. Two of the most widely discussed are technology and trade. New technology has increased the productivity of the "overclass", and disadvantaged the underclass. Increased exports of industrial goods from the Third World have effectively increased the global supply of less-skilled workers, reducing their market in the First World.

To these widely researched phenomena I add another that I consider to be overriding — inadequate domestic long-term economic growth. By this I mean the long-term growth of macro capacity to produce goods and employ labour has not kept up with the growth of the effective labour supply.

Much discussion fails to understand this process. There is a confusion between total growth and productivity growth. Society will benefit from productivity gains if total output and demand for labour also grow. Otherwise, as the Luddites saw, productivity growth, by releasing labour, merely increases the labour surplus. In addition, in the past half century, the labour supply has been massively enhanced by women. In the US the proportion of married women with children under six who



The Ridings School will contribute to the underclass

found paid employment outside the home went up from ten per cent to 60 per cent. Consequently, in no First World country except Japan has the long-term demand for labour kept pace with the heavy increase in effective supply. What I have found in my book, however, is a major difference between the social consequences in Anglo-Saxonia and those in Western Europe. In Europe the effects, rather than concentrated on an underclass, are spread through the male population. The general increase in male non-employment has on average been markedly sharper in France, Germany and Italy than in Britain and the US. What is the reason for this divergence?

There are in fact two answers. The first is that in continental countries, most especially in Germany, the education system does a better job of steering people who are less academically gifted into training for productive and rewarding employment. The second is that the strong and widely criticised European welfare state has held up bottom-end living standards. For example, the purchasing power of bottom-end hourly earnings in old West Germany is today at least twice the corresponding statistic for the US. The other side of the coin is higher European non-employment, a larger proportion of which (because of easier benefit rules) appears as official unemployment. Which model, the "European" or the "Atlantic", do we prefer? A year ago it seemed that the

UK general election would be dominated by EMU on the one hand, and the economy on the other. After the Labour conference, however, these items were seemingly replaced by education. In the past two weeks a whole new raft of issues has dramatically surfaced — morals and morality, crime and punishment and discipline, rather than education as such, in schools. But at the heart of all these problems is that of the underclass. Watching TV shots outside The Ridings School, see the faces of the underclass's new recruits. And among moderate Europeans there are real worries that EMU, as currently designed, will increase, rather than reduce, such problems.

Tony Blair and Gordon Brown, partly I think from conviction, and partly from fear of the markets, have made clear that they believe education, not economic growth, lies at the heart of contemporary social maladies. But Labour's education programme is structurally vague. Is there a plan to follow the German "selective" model? And how can this be done quickly, rather than over 100 years? I have a fear that the Labour Party leaders may be using education partly as a diversion from macroeconomics. One is bound to some extent to sympathise. If they say they will try to improve the real economy, the banking fraternity is liable to label them as crazy inflationists who will cause a run on the pound.

Holland Taylor, chief executive of USA Global Link, the world's largest seller of discount international telecom services, said: "These prices bear no resemblance to economic reality." Indeed, it is hard to explain to any consumer why a coast-to-coast call in the US may cost as little as 10 cents a minute while one between, say, Paris and New York, a similar distance, can cost five or even ten times as much. The marriage of BT and MCI, America's second largest long-distance operator, has the likes of AT&T rattled because it will undoubtedly lead to lower overseas call charges. BT and MCI have created a closed transatlantic loop, meaning they do not have to pay other operators to complete calls at the other end. As a result, they can drop their prices in the hopes of snatching traffic from their rivals.

But the discount operators think the large phone companies are severely limited in their ability to reduce prices because they are saddled with enormous costs. Deutsche Telekom, for example, has 220,000 workers, more than half of them



Blair: education mantra



Brown: fears markets



Cook: highlighted changes

Nothing of that kind happens when one pronounces the mantra, "education, education and education".

The question mark over EMU has graver consequences. A definite decision has got to be made. I happen to hold the view that, properly designed, EMU could be a noble project of huge benefit to all Europeans. But as we all know, it has not been properly designed. The fault lies not so much in the Maastricht criteria as such, but in the signals that they give. Most especially, the institutions who will manage the new currency are given no brief on the economic issues that really matter.

What then should Britain do? To my mind there is no doubt. The treaty cannot be changed. What can be changed, however, as Robin Cook has been interestingly pointing out, is the way that member governments collectively operate it. He has suggested that the political balance in European governments is currently changing in a better direction. The European Central Bank will be operated by a council consisting of individuals nominated by member governments. There will be majority voting. On present form, tipping past the case of Britain, the first-phase membership will consist of every EU country except Greece and Italy. Italy, in fact, is not impossibly far off meeting the entry conditions and since her Prime Minister strongly desires to be an early member, my guess is that he will, in the event succeed. As for

Britain, if we also strongly wanted to qualify, we could find a way. To put it another way, if the French can, we can. Surely there is only one implication for Britain: get in there and start organising. The potential political picture is dramatic. If Britain happened to have a centre-left government committed to the priority of long-term economic growth, supported by France, Italy, Spain and others, it would have a built-in majority in the decision processes of the European Bank. Old roles would be reversed. The Germans, with possibly only a few allies, would be the minority.

What would/should Britain do with such a golden scenario. In my book I set out five concrete points for a macroeconomic policy programme for a benign EMU. First, the attitude to fiscal deficits should be pragmatic not doctrinaire. They should be restrained only to the extent that they cause actual inflation or long-term damage to economic welfare. Secondly, member countries, without "revising" the treaty, must make clear that they believe its ultimate objective is satisfactory long-term growth of output, capacity and demand for labour. Thirdly, member governments recognise that monetary management is only part of EMU's function. The role of the European Central Bank needs to be enhanced by a comprehensive system of macroeconomic management and encompassing not only interest rates but also general fiscal policy. Fourthly, member governments and the European Bank would accept the need to bring European long-term real interest rates to a permanent level not much above 2 per cent. Fifthly, member governments would need to recognise frankly that before long they are going to have to harmonise the European welfare state.

A programme of this kind would surely have more prospect of acquiring influence if Britain, with a government other than one under the influence of Conservative Eurosceptics, were a first-round member. If the first round goes ahead with most EU countries in bar Britain, the prospects for long-term European economic welfare will be weakened. For Britain, the price will be augmented by the various real costs of staying out, and by the certainty that if we enter later our influence will be minimal. Cf Professor Robin Marris's book, *How to Save the Underclass*, was published by Macmillan yesterday.

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ERIC REGULY

Discounters confined on the margins

Kwik Save's change of approach puts sector in spotlight, says Clare Stewart

Name this retailer. "Outstanding value... better products... more welcoming stores... displays to stimulate customer interest... more staff for a customer-focused culture." After a cursory glance through the corporate statement outlining those goals, you might be forgiven for assuming that it was an extract from Sainsbury's or Asda's annual report.

Wrong. This is the marketing speak of New Generation Kwik Save fresh from unveiling a 28 per cent drop in profits to £90.2 million, and a hefty cost-cutting programme that will see the closure of 107 of its 679 stores.

Kwik Save, the UK's largest discount retailer has, in common with others in the sector, traditionally been associated with the pile-it-high, sell-it-cheap school of retailing philosophy. Central to this is its no-frills approach, providing customers with value-for-money goods displayed in functional stores where price rather than product presentation drives sales.

Kwik Save's conversion to a "marketing-led approach" is by its own admission a major cultural change. It also throws the spotlight on the place of the discount stores in the food retailing market as the leading players fall over themselves to be all things to all customers.

Whether offering loyalty cards or, as in Sainsbury's case, moving into banking, in the early 1990s the threat of an invasion from a number of European discount retailers, such as German-owned Aldi and Danish-owned Netto, cast a long shadow. Between 1990 and 1994 total discount sales were estimated to have more than doubled to about £5.5 billion.

Verdict, the retail research group, forecasts that discount stores will have about 14 per cent of the food retailing market by 1998. Despite this rapid growth, and the expansion plans laid out by the likes of Aldi and Netto, the threat from the discounters is viewed rather differently.

"Their presence is no longer a life threatening, given that the differential between them and UK groups has been closed by the supermarket majors," said one analyst.

The price-cutting initiatives undertaken by the likes of Tesco and Sainsbury have

successfully stolen some of the clothes of the discount retailer, offering a limited range of basic grocery requirements at reduced prices. There has also been some consolidation in the market as the fierce price competition claimed a number of casualties. Budget's Penny Market fell by the wayside, Shoprite in Scotland was snapped up by Kwik Save while Argill sold Lo-Cost.

In such a difficult market groups such as Kwik Save have found themselves ever more squeezed. At the top end are the supermarket giants promising both value for money and a wide range of goods, together with customer loyalty incentives.

On the other side are the discounters who offer a much smaller number of products in smaller stores.

Aldi, for example, offers fewer than 600 product lines in its stores while Netto averages about 900 lines. This compares with about 20,000 product lines on offer in a Tesco superstore.

Groups like Aldi are not pitching to rival the superstores, but to gain firm hold of the market for everyday shopping needs. With 160 stores at present, there is, says Trevor

Coates, Aldi's UK managing director, "a huge opportunity for our sort of business in the UK and we expect to open around 20-30 stores a year".

Groups like Aldi and Netto, backed by a large European retailing group, remain bullish about expansion prospects. But some market analysts are more cautious about the scope for growth in a market that is near saturation and where the difficulties of finding space for new sites are already apparent. One certainty for food retailers is that conditions are likely to remain fiercely competitive. As a result it is also expected that there will be further rationalisation among retailers, both discount stores and supermarket groups.

Such changes are also likely to accentuate divisions in the market, with consumers able to choose from a small number of discount chains carving out their chunk of the market while the large supermarkets continue to defend their traditional territory. The outlook for a middle-ground retailers such as Kwik Save looks less promising.

Clare Stewart

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Mayflower follows American route

By Keith Rodgers

MAYFLOWER Corporation, the automotive company that failed in a bid for Pullman, the American car suspension group, this summer, has returned to the acquisition trail in the United States.

The UK company announced yesterday that it has agreed to buy SCSM Holdings, an American supplier of metal pressings and body sub-assemblies, for \$165 million. The company plans to place 32.8 million shares at 135p each to raise £38.2 million net for the cash offer, with the balance coming from additional bank borrowings of \$80 million. The placing and open offer has been underwritten by BZW. Existing shares rose 8p to 143p yesterday, a new high for 1996.

The deal will leave Mayflower geared at about 80 per cent on net assets of approximately £100 million by the end of the year, although £73 million of goodwill has to be written off. The company surprised analysts when it indicated that it expected to be ungaraged by the end of 1998.

David Donnelly, finance director, said the acquisition of SCSM was "a tight fit", combining Mayflower's design and engineering capabilities with SCSM's huge pressing capacity. After the deal — subject to shareholder approval at an EGM on December 2 — the company will have four American plants and US revenues will account for almost half of group turnover. Mr Donnelly indicated that there may be some rationalisation of administrative staff.

The deal, which is expected to be earnings enhancing in the first year, is the third major takeover move Mayflower has made in little over a year. In August 1995, it acquired Walter Alexander, the largest UK manufacturer of bus bodies. Four months ago, its £172 million offer for Pullman was trumped by a £200 million takeover bid from Tenneco.

Under the terms of the deal,

Mayflower will pay \$137.2 million for SCSM, and assume debt of \$27.8 million. It won control after Great Dane Holdings, SCSM's family-controlled parent company, put it up for auction.

Sandy Morris, analyst at Hoare Govett, said: "It looks like a more natural deal for them than Pullman." He added that if the company achieves its zero gearing target, "I think it would go down as being fairly phenomenal".

In a trading statement, Mayflower said that all businesses within the group continue to drive down costs and improve productivity.

SCSM, whose principal customers include General Motors and Freightliner, reported a £13.7 million operating profit on continuing operations last year, up from £11 million in 1994. Turnover climbed from £72.3 million to £106 million.

Mr Donnelly said the company was strongly cash-generative, which was why Mayflower is funding a large part of the deal through debt. By contrast, it had planned to fund the Pullman bid through a £139 million rights issue.

Mayflower's contracts include a deal to make the body shell for Rover's MGF sports car and the cab for the Ford Aeromax truck. Mr Donnelly said the company was still considering longer-term plans to move into complete car manufacture for low-volume, specialist vehicles.



John Simpson, Mayflower's chief executive, with a Mercedes off-roader. Half the body shell is produced by SCSM

Elections boost J Bibby as £42m profit beats forecasts

By Fraser Nelson

INCREASED political certainty in Spain and Portugal has aided the recovery of J Bibby, the mini-conglomerate, which returned record year-end results yesterday.

The company, 78 per cent owned by South Africa's Barlow group, said that recent elections in the two countries had created more stable economic climates. Bibby also enhanced margins by raising prices and cutting costs —

including losing 80 of its 1,420 workforce in Spain.

The annual results beat expectations, and Bibby shares rose 7½p to a four-year high of 144p yesterday. Richard Mansell-Jones, chairman, attributed the results to Bibby's new policy of concentrating on areas in which it has a commanding market share.

The capital equipment division led the profit advance, raising its operating profits

from £9.2 million to £14.1 million. Its industrial division also saw significant growth. Profits from materials handling grew more slowly, up 7.5 per cent, to £21.5 million.

In the year to September 28, pre-tax profits were £42.3 million, up from £32.9 million last year and losses of £10.7 million in 1994. Earnings per share were 16.93p (12.07p). A 5.5p final dividend, due on January 31, makes 7.5p (5.75p).

Oil and gas field costs at lowest in ten years

By Our Business Staff

NORTH SEA oil and gas field operating costs are at their lowest levels in more than ten years but could start to rise again shortly, according to a study published by Wood Mackenzie, the consultancy, yesterday.

The study said average operating costs for UK fields have fallen 23 per cent since 1990 in real terms. Of this fall, about 60 per cent has occurred since the end of 1994. Platform dismantling, rationalisation of operations and other cost-saving initiatives have led to the lowest average unit operating cost since the early 1980s.

But the cost of extracting oil from "mature" fields and development of frontier areas west of the Shetland Islands will counter low cost production from many of the new and smaller field developments, said Wood Mackenzie.

"From our base case analysis we have forecast the level of unit operating cost to gradually increase over the next five years from £2.64 per barrel of oil equivalent (boe) in 1996 to £2.86 per boe in 2001 in real terms," Wood Mackenzie said. The survey considered estimates from 25 companies accounting for more than 90 per cent of all operating expense on the UK Continental Shelf. British Gas was found to have the lowest unit operating cost.

Second-half warning hits Mackie shares

SHARES in Mackie International, the Belfast engineering company, fell 30p yesterday to a low of 155p after the company issued a profits warning on its second-half performance. Mackie said the slowdown in textile machinery sales, which caused a profits slump in the first half, is expected to cause a further reduction for the remainder of the year. "Group profitability in the second half is dependent on sales yet to be made and delivered before the year end," the company said.

In September Mackie reported a fall in interim pre-tax profits to £1.04 million from £1.32 million on reduced turnover of £9.5 million largely because of difficulties in the textile market. Since the company was floated in September 1994, management has tried to reduce its dependence on the highly cyclical textile sector by embarking on a programme of joint ventures and strategic alliances in other businesses. Yesterday Mackie said that next year those new businesses should account for 60 per cent of the company's estimated £30 million turnover. It also insisted that its strong balance sheet and low gearing will allow it to make a strong recovery from what it called "this temporary setback".

Porter Chadburn pays

PORTER CHADBURN, the producer of labels that has operations in Britain and America, is returning to the dividend list after an absence of three years. The company is making an interim payment of 0.25p a share in respect of the six months to September 27. Porter Chadburn reported pre-tax profits of £2.3 million for the period, compared with £2.1 million in the first half of the previous year. The company's turnover from continuing operations totalled £35.6 million, compared with £31.5 million. Earnings were 1.65p a share, down from 1.75p previously.

Smart builds to £2.8m

JSMART & Co (Contractors), the building and civil engineering contractor, yesterday reported pre-tax profits of £2.84 million for the year to the end of July. In the previous year profits were £3.44 million but included an exceptional credit of £1.37 million arising from property and asset sales. Earnings rose to 27.48p a share from 23.14p. A final dividend of 6.9p a share makes a total of 9.4p (9p). Certain shareholders have waived their rights to the interim dividend and the proposed final dividend, saving the company £471,852.

Staveley expands in US

STAVELEY INDUSTRIES, the technical services, measurement equipment and minerals company, is expanding in America with the \$4.9 million purchase of Accurate Metallurgical, based in California, and PCMS, of Cleveland, Ohio. The two companies have combined annual sales of \$6 million. Yesterday Staveley also reported a 26 per cent rise in pre-tax profits to £10.2 million in the six months to September 28. Earnings were 6.7p a share (5.3p). The interim dividend is increased to 2.5p a share from 2.3p.

Warner Howard ahead

WARNER HOWARD GROUP, the distributor of commercial laundry systems, catering equipment and waste compactors, achieved an 11 per cent rise in pre-tax profits to £3.95 million in the six months to August 31. Earnings improved by 9 per cent to 10.9p a share. An interim dividend of 3.5p a share is recommended, up 11 per cent. The company said the acquisition of Orwak Linley last year had strengthened the company's position in the waste management sector. Further acquisitions were possible, given the strength of the company's balance sheet.

Rights at AG Holdings

AG HOLDINGS, the manufacturer of dispatch and shipping reels, is raising £3.8 million through a rights issue to reduce borrowings and fund future developments. Shareholders are offered one new share for every six held at 134p each, against yesterday's price of 151½p, down 5½p. The company also reported a rise in pre-tax profits to £3.45 million, from £3.03 million previously, for the year ended July 31. Earnings were 12p a share, compared with 10.8p. The total dividend is increased to 6p a share, from 5.75p last time, with a 3.75p final.

Cullen's knocked by competition

By Clare Stewart

CULLEN'S, the upmarket convenience store group, yesterday gave warning that it may record a loss in the full year because of weaker trading in its high street stores together with the cost of expanding the group.

The announcement came as

Cullen's reported a fall in half-year pre-tax profits from £132,000 to £65,000, though sales were ahead 11.4 per cent to £14.4 million. Like-for-like sales rose 1 per cent.

The interim results, says the group, reflect the increased administrative costs and the

impact of several unprofitable stores reverting from franchise to management control.

In addition, the food shops have come under greater pressure. "The high street has definitely increased competition with retailers such as Tesco Express extending their

trading hours," said Robert Rayne, Cullen's chairman.

He said the group was repositioning its stores to build an emphasis on fresh food and food to go. The shops, he added, "need to be more accommodating to our core market".

Despite the tougher conditions faced by the stores, which are principally located in London, Mr Rayne said there was plenty more opportunity to expand the chain in the capital and outside.

Cullen's priority in the short term is to expand its patisserie chain. A fourth outlet will open next month in London and a further five are planned for 1997.

Cullen's is not paying an interim dividend. Its shares fell 2½p to 18½p.

What the papers say



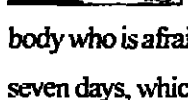
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Discovery rejects higher bid

FROM RACHEL BRIDGE IN SYDNEY

DISCOVERY Petroleum, the Australian oil producer, firmly rejected Premier Oil's increased \$106.5 million (£53 million) takeover bid for the company yesterday, saying that it still does not fully reflect the value of its shares.

Peter Jones, Discovery chairman, also said that shareholders should wait for further news about what Oil Search, a major shareholder, intends to do, saying that Oil Search had recently completed a review of the company. Oil Search, which operates in Papua New Guinea, took a 10 per cent stake in Discovery four days after Premier launched its initial \$92 million bid.

The key attraction of Discovery to both Premier and Oil Search is its interest in Indonesia's Kalap offshore oilfield. Mr Jones said that Premier's revised 80 cent offer was still 7 per cent below the mid-point of the independent valuation range of between 77 cents and 95 cents, and also below Discovery's recent stock market highs of 82 cents.

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ALCOHOLIC BEVERAGES

High	Low	Company	Price	Change	%	P/E
66	65	Adnams Ltd	275	-10	-3.6	18.0
67	66	Adnams Ltd	275	-10	-3.6	18.0
68	67	Adnams Ltd	275	-10	-3.6	18.0
69	68	Adnams Ltd	275	-10	-3.6	18.0
70	69	Adnams Ltd	275	-10	-3.6	18.0
71	70	Adnams Ltd	275	-10	-3.6	18.0
72	71	Adnams Ltd	275	-10	-3.6	18.0
73	72	Adnams Ltd	275	-10	-3.6	18.0
74	73	Adnams Ltd	275	-10	-3.6	18.0
75	74	Adnams Ltd	275	-10	-3.6	18.0

BANKS

High	Low	Company	Price	Change	%	P/E
379.0	378.5	Barclays Bank	378.5	-0.5	-0.1	13.1
379.5	379.0	Barclays Bank	379.0	-1.0	-0.3	13.1
380.0	379.5	Barclays Bank	379.5	-1.5	-0.4	13.1
380.5	380.0	Barclays Bank	380.0	-2.0	-0.5	13.1
381.0	380.5	Barclays Bank	380.5	-2.5	-0.6	13.1
381.5	381.0	Barclays Bank	381.0	-3.0	-0.8	13.1
382.0	381.5	Barclays Bank	381.5	-3.5	-0.9	13.1
382.5	382.0	Barclays Bank	382.0	-4.0	-1.0	13.1
383.0	382.5	Barclays Bank	382.5	-4.5	-1.1	13.1
383.5	383.0	Barclays Bank	383.0	-5.0	-1.2	13.1

BREWERIES, PUBS & REST

High	Low	Company	Price	Change	%	P/E
49.0	48.5	Adnams Ltd	48.5	-0.5	-1.0	10.5
49.5	49.0	Adnams Ltd	49.0	-1.0	-2.0	10.5
50.0	49.5	Adnams Ltd	49.5	-1.5	-3.0	10.5
50.5	50.0	Adnams Ltd	50.0	-2.0	-4.0	10.5
51.0	50.5	Adnams Ltd	50.5	-2.5	-5.0	10.5
51.5	51.0	Adnams Ltd	51.0	-3.0	-6.0	10.5
52.0	51.5	Adnams Ltd	51.5	-3.5	-7.0	10.5
52.5	52.0	Adnams Ltd	52.0	-4.0	-8.0	10.5
53.0	52.5	Adnams Ltd	52.5	-4.5	-9.0	10.5
53.5	53.0	Adnams Ltd	53.0	-5.0	-10.0	10.5

BUILDING & CONSTRUCT

High	Low	Company	Price	Change	%	P/E
34.0	33.5	Adnams Ltd	33.5	-0.5	-1.5	10.5
34.5	34.0	Adnams Ltd	34.0	-1.0	-3.0	10.5
35.0	34.5	Adnams Ltd	34.5	-1.5	-4.5	10.5
35.5	35.0	Adnams Ltd	35.0	-2.0	-6.0	10.5
36.0	35.5	Adnams Ltd	35.5	-2.5	-7.5	10.5
36.5	36.0	Adnams Ltd	36.0	-3.0	-8.5	10.5
37.0	36.5	Adnams Ltd	36.5	-3.5	-9.5	10.5
37.5	37.0	Adnams Ltd	37.0	-4.0	-10.5	10.5
38.0	37.5	Adnams Ltd	37.5	-4.5	-11.5	10.5
38.5	38.0	Adnams Ltd	38.0	-5.0	-12.5	10.5

BUILDING MATERIALS

High	Low	Company	Price	Change	%	P/E
12.0	11.5	Adnams Ltd	11.5	-0.5	-4.3	10.5
12.5	12.0	Adnams Ltd	12.0	-1.0	-8.3	10.5
13.0	12.5	Adnams Ltd	12.5	-1.5	-12.3	10.5
13.5	13.0	Adnams Ltd	13.0	-2.0	-16.3	10.5
14.0	13.5	Adnams Ltd	13.5	-2.5	-20.3	10.5
14.5	14.0	Adnams Ltd	14.0	-3.0	-24.3	10.5
15.0	14.5	Adnams Ltd	14.5	-3.5	-28.3	10.5
15.5	15.0	Adnams Ltd	15.0	-4.0	-32.3	10.5
16.0	15.5	Adnams Ltd	15.5	-4.5	-36.3	10.5
16.5	16.0	Adnams Ltd	16.0	-5.0	-40.3	10.5

ENGINEERING

High	Low	Company	Price	Change	%	P/E
36.0	35.5	Adnams Ltd	35.5	-0.5	-1.4	10.5
36.5	36.0	Adnams Ltd	36.0	-1.0	-2.8	10.5
37.0	36.5	Adnams Ltd	36.5	-1.5	-4.1	10.5
37.5	37.0	Adnams Ltd	37.0	-2.0	-5.4	10.5
38.0	37.5	Adnams Ltd	37.5	-2.5	-6.7	10.5
38.5	38.0	Adnams Ltd	38.0	-3.0	-7.9	10.5
39.0	38.5	Adnams Ltd	38.5	-3.5	-9.1	10.5
39.5	39.0	Adnams Ltd	39.0	-4.0	-10.3	10.5
40.0	39.5	Adnams Ltd	39.5	-4.5	-11.4	10.5
40.5	40.0	Adnams Ltd	40.0	-5.0	-12.5	10.5

CHEMICALS

High	Low	Company	Price	Change	%	P/E
12.0	11.5	Adnams Ltd	11.5	-0.5	-4.3	10.5
12.5	12.0	Adnams Ltd	12.0	-1.0	-8.3	10.5
13.0	12.5	Adnams Ltd	12.5	-1.5	-12.3	10.5
13.5	13.0	Adnams Ltd	13.0	-2.0	-16.3	10.5
14.0	13.5	Adnams Ltd	13.5	-2.5	-20.3	10.5
14.5	14.0	Adnams Ltd	14.0	-3.0	-24.3	10.5
15.0	14.5	Adnams Ltd	14.5	-3.5	-28.3	10.5
15.5	15.0	Adnams Ltd	15.0	-4.0	-32.3	10.5
16.0	15.5	Adnams Ltd	15.5	-4.5	-36.3	10.5
16.5	16.0	Adnams Ltd	16.0	-5.0	-40.3	10.5

DISTRIBUTORS

High	Low	Company	Price	Change	%	P/E
12.0	11.5	Adnams Ltd	11.5	-0.5	-4.3	10.5
12.5	12.0	Adnams Ltd	12.0	-1.0	-8.3	10.5
13.0	12.5	Adnams Ltd	12.5	-1.5	-12.3	10.5
13.5	13.0	Adnams Ltd	13.0	-2.0	-16.3	10.5
14.0	13.5	Adnams Ltd	13.5	-2.5	-20.3	10.5
14.5	14.0	Adnams Ltd	14.0	-3.0	-24.3	10.5
15.0	14.5	Adnams Ltd	14.5	-3.5	-28.3	10.5
15.5	15.0	Adnams Ltd	15.0	-4.0	-32.3	10.5
16.0	15.5	Adnams Ltd	15.5	-4.5	-36.3	10.5
16.5	16.0	Adnams Ltd	16.0	-5.0	-40.3	10.5

DIVERSIFIED INDUSTRIALS

High	Low	Company	Price	Change	%	P/E
12.0	11.5	Adnams Ltd	11.5	-0.5	-4.3	10.5
12.5	12.0	Adnams Ltd	12.0	-1.0	-8.3	10.5
13.0	12.5	Adnams Ltd	12.5	-1.5	-12.3	10.5
13.5	13.0	Adnams Ltd	13.0	-2.0	-16.3	10.5
14.0	13.5	Adnams Ltd	13.5	-2.5	-20.3	10.5
14.5	14.0	Adnams Ltd	14.0	-3.0	-24.3	10.5
15.0	14.5	Adnams Ltd	14.5	-3.5	-28.3	10.5
15.5	15.0	Adnams Ltd	15.0	-4.0	-32.3	10.5
16.0	15.5	Adnams Ltd	15.5	-4.5	-36.3	10.5
16.5	16.0	Adnams Ltd	16.0	-5.0	-40.3	10.5

ELECTRICITY

High	Low	Company	Price	Change	%	P/E
12.0	11.5	Adnams Ltd	11.5	-0.5	-4.3	10.5
12.5	12.0	Adnams Ltd	12.0	-1.0	-8.3	10.5
13.0	12.5	Adnams Ltd	12.5	-1.5	-12.3	10.5
13.5	13.0	Adnams Ltd	13.0	-2.0	-16.3	10.5
14.0	13.5	Adnams Ltd	13.5	-2.5	-20.3	10.5
14.5	14.0	Adnams Ltd	14.0	-3.0	-24.3	10.5
15.0	14.5	Adnams Ltd	14.5	-3.5	-28.3	10.5
15.5	15.0	Adnams Ltd	15.0	-4.0	-32.3	10.5
16.0	15.5	Adnams Ltd	15.5	-4.5	-36.3	10.5
16.5	16.0	Adnams Ltd	16.0	-5.0	-40.3	10.5

ELECTRONIC & ELECT

High	Low	Company	Price	Change	%	P/E
12.0	11.5	Adnams Ltd	11.5	-0.5	-4.3	10.5
12.5	12.0	Adnams Ltd	12.0	-1.0	-8.3	10.5
13.0	12.5	Adnams Ltd	12.5	-1.5	-12.3	10.5
13.5	13.0	Adnams Ltd	13.0	-2.0	-16.3	10.5
14.0	13.5	Adnams Ltd	13.5	-2.5	-20.3	10.5
14.5	14.0	Adnams Ltd	14.0	-3.0	-24.3	10.5
15.0	14.5	Adnams Ltd	14.5	-3.5	-28.3	10.5
15.5	15.0	Adnams Ltd	15.0	-4.0	-32.3	10.5
16.0	15.5	Adnams Ltd	15.5	-4.5	-36.3	10.5
16.5	16.0	Adnams Ltd	16.0	-5.0	-40.3	10.5

ENGINEERING

High	Low	Company	Price	Change	%	P/E
12.0	11.5	Adnams Ltd	11.5	-0.5	-4.3	10.5
12.5	12.0	Adnams Ltd	12.0	-1.0	-8.3	10.5
13.0	12.5	Adnams Ltd	12.5	-1.5	-12.3	10.5
13.5	13.0	Adnams Ltd	13.0	-2.0	-16.3	10.5
14.0	13.5	Adnams Ltd	13.5	-2.5	-20.3	10.5
14.5	14.0	Adnams Ltd	14.0	-3.0	-24.3	10.5
15.0	14.5	Adnams Ltd	14.5	-3.5	-28.3	10.5
15.5	15.0	Adnams Ltd	15.0	-4.0	-32.3	10.5
16.0	15.5	Adnams Ltd	15.5	-4.5	-36.3	10.5
16.5	16.0	Adnams Ltd	16.0	-5.0	-40.3	10.5

HOUSEHOLD GOODS

High	Low	Company	Price	Change	%	P/E
12.0	11.5	Adnams Ltd	11.5	-0.5	-4.3	10.5
12.5	12.0	Adnams Ltd	12.0	-1.0	-8.3	10.5
13.0	12.5	Adnams Ltd	12.5	-1.5	-12.3	10.5
13.5	13.0	Adnams Ltd	13.0	-2.0	-16.3	10.5
14.0	13.5	Adnams Ltd	13.5	-2.5	-20.3	10.5
14.5	14.0	Adnams Ltd	14.0	-3.0	-24.3	10.5
15.0	14.5	Adnams Ltd	14.5	-3.5	-28.3	10.5
15.5	15.0	Adnams Ltd	15.0	-4.0	-32.3	10.5
16.0	15.5	Adnams Ltd	15.5	-4.5	-36.3	10.5
16.5	16.0	Adnams Ltd	16.0	-5.0	-40.3	10.5

INSURANCE

High	Low	Company	Price	Change	%	P/E
12.0	11.5	Adnams Ltd	11.5	-0.5	-4.3	10.5
12.5	12.0	Adnams Ltd	12.0	-1.0	-8.3	10.5
13.0	12.5	Adnams Ltd	12.5	-1.5	-12.3	10.5
13.5	13.0	Adnams Ltd	13.0	-2.0	-16.3	10.5
14.0	13.5	Adnams Ltd	13.5	-2.5	-20.3	10.5
14.5	14.0	Adnams Ltd	14.0	-3.0	-24.3	10.5
15.0	14.5	Adnams Ltd	14.5	-3.5	-28.3	10.5
15.5	15.0	Adnams Ltd	15.0	-4.0	-32.3	10.5
16.0	15.5	Adnams Ltd	15.5	-4.5	-36.3	10.5
16.5	16.0	Adnams Ltd	16.0	-5.0	-40.3	10.5

INVESTMENT TRUSTS

High	Low	Company	Price	Change	%	P/E
12.0	11.5	Adnams Ltd	11.5	-0.5	-4.3	10.5
12.5	12.0	Adnams Ltd	12.0	-1.0	-8.3	10.5
13.0	12.5	Adnams Ltd	12.5	-1.5	-12.3	10.5
13.5	13.0	Adnams Ltd	13.0	-2.0	-16.3	10.5
14.0	13.5	Adnams Ltd	13.5	-2.5	-20.3	10.5
14.5	14.0	Adnams Ltd	14.0	-3.0	-24.3	10.5
15.0	14.5	Adnams Ltd	14.5	-3.5	-28.3	10.5
15.5	15.0	Adnams Ltd	15.0	-4.0	-32.3	10.5
16.0	15.5	Adnams Ltd	15.5	-4.5	-36.3	10.5
16.5	16.0	Adnams Ltd	16.0	-5.0	-40.3	10.5

ENGINEERING VEHICLES

High	Low	Company	Price	
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THE TIMES FRIDAY NOVEMBER 8 1996

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Friday 15th Nov

Shaftesbury pays £90m for right to revive Carnaby St

By CARL MORTISHED

CARNABY STREET has been sold to the owner of London's Chinatown, Shaftesbury, the property group specialising in West End tourist destinations, has agreed to pay £90 million for the 93 properties that make up the Carnaby Estate.

The deal is not yet sealed, but Wereldhave, the Dutch owner of the estate, will be more than pleased by the price on the table. Only two months ago, Wereldhave asked its agents to seek a buyer for the properties. Suitably armed with 1960s memorabilia, Healey & Baker launched a campaign that drew heavily on fashion icons past but had a minimum price of only £69 million for the 93-plus lots.

In the end, the properties

fetched at least 30 per cent more, and rumours had it that bidders included big names such as Gerald Ronson, Scottish Life, the insurer, and Benchmark, the property company rejuvenated by a £100 million property deal with Friends Provident.

Shaftesbury is staying silent about the deal: some 90 property transfers must be signed before it is in the clear. It will also be talking to its shareholders. At least some of the purchase price will need to be raised in a share issue. After being tapped for money in July, institutional investors will want to be consulted. The Carnaby Street leases currently generate just under £6 million in rents, giving an initial

investment yield of only 6 per cent. The price might make a casual observer wonder whether Shaftesbury and its rivals are interested in collecting relics rather than rents.

Yet nothing could be further from the truth. When fashion left Carnaby Street in the 1970s, the area sank rapidly into trading in T-shirts and tourist ephemera. However, within the past ten years, things have been changing in the West End. Rents have shot up in the restaurant and leisure locations of Chinatown and Soho, and the media and music industries are once again feeling prosperous and pushing beyond Wardour Street and Golden Square. Carnaby Street is not yet a trendy location, but, under Shaftesbury's tutelage, it has a better chance of making it.

Shaftesbury, a canny operator with a style based on maximum management but minimum intervention, has made a fortune from its traditional area of Gerrard Street and Shaftesbury Avenue. By working closely with Chinatown tenants, it has turned an unimpressive collection of buildings into a gold mine by increasing restaurant sizes while preserving the area's character.

Tim Skeckley, of Healey & Baker, reckons that Shaftesbury will gently move Carnaby Street upmarket, introducing new tenants. "One of the potentially important sectors is the music business," he said. "If you look at where it is, music, entertainment and leisure are possibilities."

Shaftesbury already owns some Carnaby Street properties, so there is scope for deals. The company is expanding south, too. In July, it raised £30 million to buy the Island site, next to the Trocadero at Piccadilly Circus, in a move that should see Chinatown's borders extended.



Christopher Sporborg, left, with Nicholas Page, managing director, are pegging the payout

Hambro Insurance rises 50%

By ROBERT MILLER

HAMBRO Insurance Services has held the interim dividend at 1.85p a share despite a near 50 per cent jump in pre-tax profit to £4.53 million.

The insurer, which will make the interim payout, worth £1.2 million in total, on December 18, said continuing competitive pressure on its Hambro Legal Protection division had resulted in a 17 per cent fall in profit to £2.1 million in the six months to September 30. Christopher Sporborg, chairman of Hambro, said that in future the legal insurance arm, which saw turnover rise 7 per cent to £11.8 million, would adopt the trading name of Hambro Assistance.

Elsewhere in the Hambro portfolio, Cunningham UK, the loss adjusting and claims company, improved its operating performance, while Cunningham International contributed £1 million to the group's bottom line. Beale Dobie, the market maker in second-hand traded endowment policies, recorded unchanged profits of £700,000 on a 44 per cent rise in turnover to £15.8 million.

Mr Sporborg said that Hambro, which saw earnings per share increase to 3.76p, against 2.75p in the same period last year, had benefited from last year's hurricanes.

Food and drink shortfall in inward investment

By SARAH CUNNINGHAM

FOOD and drink manufacturing, one of the largest industries in the UK, has become more competitive but is failing to attract its share of inward investment due to poor transport infrastructure and a lack of skilled workers, according to a new report.

The Strathclyde University Food Project, set up six years ago by the food industry to help to boost sales and close Britain's trade gap with the rest of the world, holds its final seminar today.

Sir Alistair Grant, chairman of Safeway, the supermarket group, and of the project, will tell delegates that initiatives suggested by the project have helped the British food industry to add sales of at least £300 million. "Quantifying the financial impact of any reduction of the food and drink trade gap is far from straightforward, given such events as effective devaluation following exit from the ERM," he said.

Among the examples cited of companies helped by the project is Van Heyningen Brothers, the horticultural division of Hazlewood Foods, which has become the largest glasshouse grower in the world, producing 30,000 tonnes of tomatoes a year. This has helped to cut the import of Dutch tomatoes 30 per cent, the seminar will be told. Other companies have helped to cut Danish and Dutch bacon imports.

But the project's final report — the basis for today's seminar — says that high debt levels within the industry suggest that massive investment has not yet paid off in terms of productivity and production.

The UK has the third-largest food industry in the European Union, worth over £100 billion if catering is included. It employs more than three million people in primary production, manufacturing, retailing and distribution. But it is not growing as rapidly as its competitor

industries because pre-tax margins are low, reflecting intense competition. This has resulted in lower prices for the consumer.

Although British companies beat their European competitors in management of the supply chain, Britain is falling behind in attracting inward investment because of geography, poor transport and an unskilled labour force. The report suggests that offering more speciality and premium products would give the industry an added advantage.

It says that opportunities exist in high-value-added products such as confectionery, water, convenience products and certain vegetable and fruit production.

SBC sees profits up in 1996

FROM A CORRESPONDENT IN ZURICH

SWISS BANK Corporation, Switzerland's third-biggest bank and owner of Britain's SBC Warburg merchant bank, said profit growth slowed in the third quarter but it still expected a higher ordinary net profit for 1996. The bank said: "SBC expects that ordinary group profit after taxes for the 1996 financial year will be some percentage points below ordinary estimates, but still substantially higher than in 1995."

In September SBC estimated that 1996 ordinary net profit would rise 33 per cent to SFr4.4 billion (£651 million). SBC said net profit after taxes rose 27 per cent in the first nine months of 1996, but gave no figures.

Value of contract distributor halved

By MARTIN BARROW

SHARES of Applied Distribution fell 71p to 35p, almost halving the company's stock market value, after the contract distributor business said it would not pay a final dividend after a deterioration in trading in the second half.

Applied's stock market value was reduced by £9.67 million to £12.3 million as analysts took a dim view of the company's prospects. Earlier this year the shares traded as high as 191p.

Sir Hugh Biwell, chairman, said a number of factors were to blame for the downturn in trading since the half-year. These included pressure for additional service enhancements by a number of customers without sufficient compensating adjustments in charges and

unexpected additional costs associated with the scheduled expiry of some contracts.

Sir Hugh said that as a result of these problems the company was likely to break even in the second half, which ends December 31.

In spite of having promised to recommend a maintained final dividend of 4.5p as recently as August, the company considered it would no longer be appropriate to pay a final dividend. The interim dividend, paid on October 10, was held at 1.5p.

In 1995 Applied Distribution earned pre-tax profits of £5.1 million, rising from £4 million in the previous year. In the first half of the current year profits fell to £244,000 from £2.23 million.

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A boarding revolution

State boarding schools are enjoying a boom, says Angela Brooks

Peter and Clare Wilson were both expensively educated at public schools. Peter Wilson, now chief executive of the Theatre Royal, Norwich, boarded at Westminster School. His wife went to Prior's Field, the school founded by Aldous Huxley's mother, Julia.

The Wilsons never seriously contemplated denying their three sons an equally exclusive education. But when their eldest, 13-year-old Alexander, said he was unhappy at his prep school, they lined up four boarding schools as possible alternatives and were delighted when he chose Wymondham College.

Not only did they believe Wymondham, a state boarding school, to be the best of the bunch for Alexander, but they also slashed their annual school fees bill by £2,300.

"We have been putting aside money for fees for some time," says Mr Wilson. "We couldn't afford the present fees out of current income."

The Wilsons are part of a new breed of middle-class parents forced by rising fees for boarding at a public school — many now top £12,000 per year — to turn to state boarding schools. Many such schools do as well or better in league tables than the public schools on which they are patterned. Parents of state boarders pay only the boarding component of the fees — about £4,000 a year.

There are 39 grant-maintained state schools offering boarding to choose from, ranging from comprehensives and selective grammar schools offering some boarding places to those such as Wymondham College, Old Swinford Hospital School and Seaxey's, which are overwhelmingly boarding schools.

Two other parents, James



Peter and Clare Wilson sent their son Alexander to Wymondham College, Norfolk, and cut their fees by £2,300 a year

and Emma Blakeney, had their two sons, Simon, 15, and Mark, 13, attending as day boys at the junior school of Warminster. Then Simon came home six years ago insisting that "the boarders have more fun".

"We found that Simon could board at Seaxey's — a state boarding school near us — for pretty much the same cost as being a day boy at Warminster," Mrs Blakeney says. When the Blakeney's told Warminster they were considering withdrawing Simon, he was offered a free boarding place but "because he is quite academic and they were keen to keep him".

But by that time, the family were disenchanted with public schools. "I'd watched the senior boys when I parked to pick up the children and I started to feel they weren't that well-mannered. They were arrogant and elitist — in the way public school boys can be — and that is something we just didn't see at Seaxey's," Mrs Blakeney says.

So happy have the Blakeney's been with Seaxey's that Simon's younger brother, Mark, a keen cricketer, followed when he was 11. "The boys do plenty of unpressured sports," says Mrs Blakeney. "There are all sorts of clubs and school trips to Wimbledon, to the opera and to the theatre. They go dry-slope skiing locally. I feel the boys are getting what we think of as a traditional, public school education but in a more liberal environment and at day school cost."

State boarding schools are on a winning streak. Although the potential for growth is limited by dormitory places — 4,000 nationwide — demand for places is high.

Gillian Shephard, the Education and Employment Secretary, is trying to help the state schools schools by allowing

them to supplement their income by recruiting foreign pupils. The outlined plans would allow them to charge such students boarding and tuition fees, but the fees would still be unlikely to rise beyond £6,000 — half the cost of fees at a public school.

Chris Potter, Headmaster of Old Swinford Hospital School, one of the country's leading state boarding schools, feels that there is a "fantastically large market for a good boarding education at a cut-rate price". He says he doesn't want a battle developing between state and independent boarding schools but he admits: "We're pinching their customers. We are fishing in their waters."

Recently, the heads of state boarding schools set up Stabis (the State Boarding Information Service), to challenge the supremacy of Isis (the Inde-

pendent Schools Information Service).

The state school heads have seen the independents marketing themselves aggressively in Malaysia, Singapore, Hong Kong, Russia, Korea and Taiwan. Some of them now have half their rolls filled with foreign students. As a result, parents of foreign children can feel disappointed that they are not getting a completely "British" education.

Chris Potter and Stabis heads have noted this, and while they are hoping to be able to recruit more pupils from abroad themselves, they are determined not to overlook the sort of "home grown" boys who have long been nurtured at schools such as Old Swinford.

● *The Directory of Maintained Boarding Schools*: DFE Publications Centre, PO Box 697, London E3 3NZ (0171 510 0150).

● *State Boarding Information Service*: Michael Kirk, Secretary, Ysgol Nant Valley Road, Llanfairfechan, North Wales (01249 680542).

'We are fishing the waters of public schools'

How children can get a kick out of being considerate

Jennai Cox reports on a project which encourages students to give something back to the community

Among the ideas expressed in her vision for a better society, Frances Lawrence said children should be taught "the richness of making a difference in one's community".

Mrs Lawrence has been invited to address a conference next week which is to discuss a scheme that gives children the chance to learn how to become good citizens.

When applying for funds from the initiative, schools must explain how their project will contribute to the local community. Endorsed by the three main political parties when it was launched last year, Barclays New Futures, which is run in conjunction with CSV, now funds more than 160 projects involving 360 schools.

One project has been the development of a cinema by a school in Cumbria. In a survey of local needs carried out by Beacon Hill pupils last year, the lack of a movie house was cited most often. Having calculated the cost of reviving a derelict cinema in Asparria, the students drew up a business plan and then co-operated with the owner and the town council, Clynis Seddon, the acting head teacher at the school, believes the opportunity allowed the youngsters to show that they were capable of running a major project.

"They have had to learn how to put across the benefits of a community project to people outside the area, which isn't always easy when you are 14," she says. "There is a great deal of vitality in local communities that often goes untapped."

Clearing a local walkway near their school in Louth, Lincolnshire, is how pupils at Deighton Close are demonstrating their commit-

ment. Boys across the secondary school age range have cleared litter and built a bench for rambles. To Mike Smith, the headmaster, the importance of the scheme lies in its giving the children a feeling of worth from doing something positive. "Any initiative that gives kids a kick out of being thoughtful and considerate should be encouraged," Mr Smith says.

In a consultation on a moral code for schools, the School Curriculum and Assessment Authority (SCAA) proposes community service for youngsters, such as helping the elderly. The "Granny

idea being put forward as part of citizenship classes. But the sense of value felt when contributing to others is difficult to engineer, says Steve Miles, technology teacher at The Bicknell School in Bournemouth, Dorset. He feels, therefore, that it must be integrated into a tangible scheme. A local architect and a construction firm have both lent their services to improving the school's playground which will eventually be available for community use. "It is getting across the message to children that not all of the world is selfish place," Mr Miles says. "They have learnt to work together and to achieve something they could not have done alone."

Many of the teachers running community projects say young people are often terrified of tackling projects when they start out, but are equally rewarded when they succeed. None, though, would have been possible without the capital injection of between £3,000 and £8,000. Linda Goodwin, community manager at Hornsea Community School in Waterlooville, Hampshire, whose students are working with the disabled to produce a multimedia show, says: "A worthwhile and meaningful project such as this cannot be done on a wing and a prayer. The more good you do, the more it seems to generate."

● *Applications forms for New Futures funding* were sent to all secondary schools and sixth-form colleges in England, Scotland and Wales last month. The deadline is December 16. Hotline 01722 7883.

● *The Learning Through Living conference* will be held on November 2. For details call CSV 0171-28 6601.

'There is a great deal of vitality that goes untapped'

Project at Brannel School in St Austell, Cornwall, could provide a working model.

As part of their history lessons on the Second World War, year nine pupils have been interviewing people about their memories of that period. The memories will be published in a book. The students have come to understand the problems faced by old people, says Peter Bishop, the school's community tutor, such loneliness and being put into a home. "All of these things they knew nothing of before. They have become more caring and understanding," he says.

Visits from local citizens, such as the police, is another

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Would home-school contracts have saved The Ridings, asks Hugh Thompson



The village school in uproar: teachers say that contracts are of little use if parents themselves are of an antisocial nature

Can sign, won't sign

Labour swears by them, the Government encourages them, they're the latest big idea in the rowing debate on school discipline. But would home-school contracts have any impact at The Ridings or the other schools that have hit the headlines in recent weeks?

Neil Thornley, who faces the possibility of a teachers' strike over an allegedly unruly pupil, thinks not. The head of Barns High in Bacup, Lancashire, says: "They would not be worth the paper they were printed on."

"They would patronise the 95 per cent who are already supportive and make no difference to the rest. I know it's against the line, but I think written contracts would be a complete waste of time."

The contracts lay out what the school expects of pupils and pupils in terms of forms, attendance and behavior and what they in turn can expect from the school. The aim is to bind the parents closer to the school and rule

out potential disagreements about who is responsible for what.

For Liz Paver, Head Teacher of Intake Primary school, Doncaster, the system works well. "We make all parents sign it every September and for the eight to ten-year-olds there is a weekly book monitoring progress we ask the parents to sign. It is a system that means nobody can hide."

"Since we introduced these contracts there have been fewer parents challenging teachers and there is more understanding of our system. It is important that the contract is established at primary school, because it gets parents into the right frame of mind."

But Mrs Paver, vice-president of the National Association of Head Teachers, may be in a minority. Many other heads share Mr Thornley's view. They say that when a parent accepts a place at a school, they have contractually accepted its rules and ethos as laid out in its prospectus.

Tony Williams, Head Teacher of

Sedgefield Community College, in Stockton-on-Tees, says: "A contract signed by every parent would be an unnecessary piece of bureaucracy. Those parents who most need a contract are either not going to take it seriously or are not going to bother to sign it."

John Kenwood, Head of Bourne Primary in Eastbourne, agrees: "It would be a nightmare trying to get 500 contracts signed and sealed every term."

Clapton High School, in east London, which took part in a contract of partnership project, sponsored by the Royal Society of Arts, has a non-binding agreement which is signed by everyone at the beginning of the pupil's career.

Miguel Hillson, head teacher, says: "I am worried by any type of coercive element, that is why we called ours an agreement. It is most useful when there are problems and we can all start from the positive position that we share the same expectations."

Others point out that contracts

are often used as part of the support and sanction mechanism when things start to go wrong. The contract is used to draw the parents and school together as part of the programme for stopping a pupil being excluded.

However, a report on the RSA project, which was presented to a conference in London this week, raised fears that the contract might be used purely as a weapon against parents. John Bastiani, the author of the report, described his view as one of "positive agnosticism", recognising the potential of contracts but wary of the variety of approaches and opposition.

Dr Bastiani said: "Home/school arrangements can, and should, provide a framework for a continuing discussion about what teachers, parents and pupils might reasonably expect from one another. In the hands of politicians, however, they are fast becoming a blunt instrument with which to beat unsuspecting parents into submission."

Governors must share the blame for failing schools

A former head teacher recalls how she felt let down by her governing body

Some years ago I was summarily removed from my post as head teacher of a private school. As with the case at Cheltenham, parents were informed only of the *fait accompli*, and when they pressed the governors, they were told that I had resigned and an implication was made that, in spite of the board's pleadings, I had walked out.

This arose from events at a confused and hysterical board meeting, but the clearest objective evidence that I was sacked comes from two facts. Before and after the event the discussion was not about resignation but about some allegations of misdemeanours on my part and, in the eventual settlement, they paid me the precise sum of money which they were legally obliged to pay if they had dismissed me.

I do not complain about being sacked. They had every right to do that and by the time it happened we had decided to go off one another. I do complain about their refusal to answer questions for weeks and that, when they were finally cornered, they misrepresented my part in the story.

There were many causes, but there were two main, closely related, factors. First, the governors' unwillingness to spend time on the school and their consequent ignorance about it and, secondly, the ruthless determination of a minority of the staff to hang on to a comfortable regime they had achieved years before at a time of teacher shortages.

The school was in a mess when I arrived, losing money and certain to lose large numbers of pupils because there were big groups at the top of the school, tiny ones at the bottom and almost no forward registrations. This had been made clear to me by the bursar and I assumed that the governors also knew it. Later I realised that they did not. I fully understood that my task was to clear it up.

The buildings were dangerous and insanitary and smoking and drinking were rife. Academic standards were so low that girls who had arrived with scholarships were failing their O levels and the sixth form was ineffective, providing entry to the local social scene than entry to university. The senior staff had been there far too long and had not adapted to modern conditions.

Most of the staff, the pupils and

their parents understood the problems and set to work with great enthusiasm to put things right. Some people worked incredibly hard. At first the governors, too, made some brave decisions. We repaired or replaced the buildings, improved the food, restored discipline and raised academic standards. All this was achieved while simultaneously making big economies. But we had to tackle those bad staff and get them to work harder if the school was to remain solvent. They understood the position and, pri-

would not give enough time to it. Because they had no time they did not inform themselves about the school, about the problems as they arose and about the ringleaders of the staff rebellion. Far too late, I realised that they did not seem to understand even about the numbers.

None of this would matter much if it had happened only to me, or only to that school, or only occasionally. It would not even matter too much if it were only the independent schools. Good and influential as many of them are, they educate only a small proportion of our children and the really good ones have good governors. But we now see it happening in the maintained sector.

Many governors feel vulnerable and it is not surprising that it is hard to persuade enough people to serve. But they are not really accountable. We have seen on television a group of governors walking out, having resigned from Manton School. No doubt they feel bruised and unfairly treated, but they have not lost their occupation or their livelihood.

In the panic raging now, many scapegoats have been offered - parents, the Government, local authorities, teachers, heads - almost everybody. What about the governors who, under the legislation, are almost in sole charge? Certainly we have heard about them making decisions or resigning, but I, at least, have not heard much discussion about who they are, how they are chosen and how much or how little they can or should do. It is often a thankless task.

I have to admit that it is hard to think of a satisfactory solution and, although legislation has been called for recently in these columns, and would surely be needed, I can't help also feeling that schools have had a lot of that lately, not always very well thought out, and I win at the thought of more. But I am writing this because the first step towards reform must be exposure of how negligent, irresponsible and unjust boards of governors can be and how much harm they can do.

After all, even if parents have not invested large sums of money in their schools, they all invest long periods of their children's formative years.

The author wishes to remain anonymous.

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The Liquidator gives notice as required by Rules 4.186 and 4.187 of the Insolvency Rules 1986 that there will be no further dividend paid to the creditors of the company and that funds have already been distributed to the creditors.

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POP 1

Oh dear! The promising Tricky takes a step backward with his new, pretentious disc



POP 2

Bally Sagoo deserves better reward for the exotic mix on his new album, *Rising from the East*

THE ARTS



POP 3

Paunchy, balding and Australian, Dave Graney has all the qualities to be one of the great cult heroes



POP 4

... while the two sisters of Alisha's Attic conform all too closely to a modish stereotype

What does it mean? That's a Tricky one

TRICKY
Pre-Millennium Tension
(Fourth & Broadway/
Island 524302)

NOWHERE in the arts is the line between genius and nonsense more finely drawn than in popular music. Witness the strange progress of Tricky. Having created a twilight world of unfathomable mystery and infinite possibility with his beguiling debut album, *Maxinquaye*, the dark prince of trip hop has taken one small step in the wrong direction with *Pre-Millennium Tension*, and disappeared up his own nose.

The warning signs were clear enough when, in April, he quietly released an "extra-curricular" album under the vainglorious pseudonym of Nearly God. More mono-

POP ALBUMS: David Sinclair
turns on, tunes in and drops off to some wild and crazy guises

nous than mind-bending, it suggested an artist drowning in a sea of increasingly self-centred preoccupations. *PMT* does little to redeem the situation.

The eerie atmospheres and clanking rhythm loops are much as they were on *Maxinquaye* and just occasionally, as on *Makes Me Wanna Die*, when Martina Topley Bird gets a clear run at a vocal, there are sporadic flashes of the old magic. But for most of the time it is Tricky's distorted gurgle that

dominates, as he intones impenetrable snippets of mantra-like verse against a succession of haphazardly structured backing tracks. The result is murkier than a swamp.

"Look deep into my mongrel eyes, tell me what you see," he demands in a rare moment of lucidity, during the course of a bluesy ramble called *Tricky Kid*. The answer seems to be a man whose distinctive musical vision has become too clouded to make much sense any more.

ALISHA'S ATTIC

Alisha Rules the World
(Mercury 534 027)

WHILE all new acts, whether they admit it or not, are trying to establish an identity that fits the current bill, Alisha's Attic have concocted a formula that seems more contrived than most. Combining the kooky duo dynamic of Shakespears Sister with the tart delivery of Alanis Morissette, sisters Karen and Shellie Poole have produced a debut that fairly drips with modish pop tunes and a fashionably off-kilter attitude.

Produced by Dave Stewart, it is nevertheless a varied and engaging collection which skips from the singalong chorus of *Alisha Rules the World* to the roasty hip hop rhythm of *The Golden Rule* without missing a beat. And although the lyrics are often given a rather trippy spin — "The galaxy is open, so paint me on your right hand" — they hint at spiky emotional truths in their own playful way.

BALLY SAGOO

Rising from the East
(Higher Ground/
Columbia 485016)

WHEN Bally Sagoo's Hindi single *Dil Cheez rose to No 12* in the chart last month, there was much fevered talk (not for the first time) of an imminent breakthrough of Anglo-Asian music into the pop mainstream. But the disappointing first-week sales of Sagoo's album, *Rising from the East*, suggest that he is still only selling to a relatively narrow band of the converted.

Which is a shame, given that the album's exotic mixture of reggae, dub, hip hop and Asian cultural stylings will surely appeal to fans of more ostensibly successful acts such as Jah Wobble and Transglobal Underground, and indeed to anyone with an ear for the club music of the 1990s, which is routinely enriched by such influences from around the globe.

DAVE GRANEY 'N'

The Coral Snakes
The Soft'n'Sexy Sound
(This Way Up/
Island 526 416)

A CROSS between Jarvis Cocker and Mike Flowers, Dave Graney is a paunchy, balding Australian with the exaggerated stage mannerisms and ostentatious jewellery of a duty-free love god. His songs are strange, existential narratives that invariably lead nowhere, but incorporate a wealth of humorously observed detail along the way.

His second British release this year, *The Soft'n'Sexy Sound* reveals more of the



The Poole sisters — better known as Alisha's Attic — have produced a debut album that fairly drips with modish pop tunes

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- 3 *Greatest Hits* Simply Red (East West)
- 4 *A Different Beat* Boyzone (Polydor)
- 5 *Falling Into You* Celine Dion (Epic)
- 6 *Ocean Drive* Lighthouse Family (Wild Card)
- 7 *Anthology 3* Beatles (Apple)
- 8 *Evita* Original Soundtrack (Warner Bros)
- 9 *Recurring Dream - Best of* Crowded House (Capitol)
- 10 *Spiders* Space (Gut)

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Visionary joannas

THE name might not have meant much to British listeners before pianist Lynne Arriale embarked on her debut tour here. By the time she returns home to New York she will have added a lengthy list of admirers to her cause.

It took only a few minutes of her gig at the Bull's Head, SW13, to see why she has been championed by that acute judge of pianists, Marian McPartland. Arriale can unleash glittering single-note runs in the right hand, but she is much more interested in tonal colour and contrast, her long chordal sweeps creating her own dreamscape.

If she ran the risk of slipping into effete rhapsodising, her romantic impulses were kept in check by the forceful punctuations of her regular drummer Steve Davis, very much an equal partner in this group. That ever-resourceful bassist Dave Green readily accepted the invitation to join in their dialogue.

Arriale's other great strength lies in her distinctive material. The combination of Monk's *Think Of One*, Chick Corea's *Windows* and Jobim's *Zingaro* made for an absorbing and unusually varied set.

Jobim cropped up again, this time in the over-familiar shape of *Wave*, in Dave McKenna's robust quartet session at Pizza Express, W1. It was a little depressing to hear such gifted musicians fall so readily into the bossa nova rut. Happily, the rest of the evening showed why the American veteran has been hailed as a master of full-blooded, two-handed swing piano.

The dynamic combination of Frank Tate and Butch Miles on bass and drums provided the high-octane fuel for *Motoring Along*. Even more satisfying, in its own quiet way, was a duet between Tate and guitarist Howard Alden on Ellington's *Single Petal of a Rose* and *Black Beauty*.

Back on the right track

BRANFORD MARSALIS

The Dark Keys
(Columbia 486668 2)

A WELCOME return to unalloyed jazz after his excursion into hip hop and rap, this is a typically robust, not to say frenetic, trio recording energised by Marsalis's extraordinary rapport with the tumultuous but consistently tight drummer, Jeff "Tain" Watts.

They are joined by another 'Marsalis regular, the unshowy, delicate bassist Reginald Veal, and on one track each by alto player Kenny Garrett and tenorman Joe Lovano.

Melodically somewhat sparse, and hovering at times on the edge of abstraction, Marsalis's compositions are open enough to allow all participants free rein, and the



absence of a chordal instrument grants Marsalis in particular a great deal of space, of which he takes full advantage with his apparently unlimited improvisational gift on both tenor and soprano horns. The overall effect might be somewhat relentless, but for sheer brio and spontaneous inventiveness, it's hard to beat.

ERNIE WATTS

The Long Road Home
(JVC 2059-2)

ALTHOUGH still probably best known away from the West Coast as the tenor player in bassist Charlie Haden's elegant Quartet West, Ernie Watts has recently begun establishing a considerable reputation for himself with a

series of albums as a leader. This possibly his most polished effort to date, showcasing his earnest, heart-on-sleeve one to perfection by setting against a superb (but drumless) rhythm section composed of sophisticated old hands pianist Kenny Barron and bassist Reggie Workman. Watts is an intensely expressive saxophone sound, embellished with just the right amount of affecting, wispy vibrato to imbue both his originals and the two Charles Mingus compositions featured here with an almost conventional intimacy.

He also provides sympathetic obbligato to the bluesy vocal lines of Carmen Lundy on a couple of tracks; overall, this is a fine album from a relatively unsung player.

CHRIS PARKER

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"Another predictably classic Mazzy Star album" SUNDAY TIMES



POP 5

The lord of bedroom soul is back: Alexander O'Neal returns with a new album and tour



POP 6

Do Kula Shaker actually believe that their pseudo-mystical songs will change the world?

THE ARTS



TOMORROW

Darcey Bussell reviewed in *The Prince of the Pagodas*, and the top weekend listings



NEXT WEEK

Pop's biggest beanfeast: David Sinclair takes the lid off the MTV Awards

Alexander the grateful

Throughout the second half of the 1980s, Alexander O'Neal's richly romantic brand of soul had hundreds of thousands of record buyers in thrall and female fans in a permanent swoon. The lord of bedroom soul, he emerged with a self-titled debut album in 1985, fashioned by the masterful production and writing of Jimmy Jam and Terry Lewis, and was soon riding a wave of opulent, sensual ballads such as *If You Were Here Tonight* and compelling upbeat grooves like *Fake*.

It is now too easily forgotten how O'Neal bossed the crossover soul fraternity, staying on the British album charts for just a week shy of two years in 1987 and 1988 with *Hearsay*, commanding a place on the bill of a Prince's Trust gala and selling out six famous shows at Wembley Arena. Here, he created a boudoir on stage — bed, paramour, the works — and an occasion that soul fans still talk about with genuine fondness.

But, like so many musical heroes, O'Neal found a shortcut from easy street to skid row. Even during the success of his first record, he had checked into a drug and alcohol rehabilitation clinic and, by 1993, with the hits growing smaller, his passage into the abyss gathered speed. O'Neal left his longtime home at Tabu Records and signed for Motown, but the legendary label chose not to release any of the material he recorded for it.

"I know definitely from my experience, Motown is the worst record company in the world," O'Neal says. "They took two-and-a-

Finding God helped soul survivor Alexander O'Neal to straighten up and fly right. Paul Sexton reports

half years out of my career and never released a record, can you believe that? Through all of the controversy that precedes me, all over the drugs and everything, I cut the best albums there that I ever cut in my life. It's a shame to have such a rich history of R&B music and to treat artists the way they do. I'm just so glad to be away from them."

Only now, with a new deal with One World/EMI Premier, fittingly secured in his second home of Britain, is he ready to face the reality that his worst enemy has been himself. "The three years I've been off have been the nastiest time in my life," O'Neal says. "I lived for ten years like every night was Saturday night. But the only bad things I did in those ten years that I can think of were to myself. I'm not the kind of person that hurts other people. But there comes a time when you have to pay that debt. It's like God says: 'You've got no money, you've got no nothing. Now who are you?' I found out."

All mention of O'Neal's drug problems have been airbrushed from his record company biography, but he addresses them candid-

ly. "I've been trying to maintain my spirituality. God never walks away from you, you walk away from Him. I'd been living by the flesh, not by the spirit. Not that I'm some overnight Christian, I've always been spiritual, but I lost my spirituality for years. It just got lost in the fast life."

"When I got deeper into my addiction, I was telling people 'Just handle it, take care of it', instead of taking care of it myself. My heart was so hardened, I couldn't even cry. It's like being in prison for three years. I did it. I came out and I'm ready to kick ass."

To that end *Lovers Again*, his comeback album, employs some top British producers. Ronnie Wilson and Dennis Charles, who have been responsible, in part, for fashioning the million-selling sound of Eternal. Also on board, for a remake of the Patti Austin/James Ingram duet *Baby Come To Me*, is O'Neal's old vocal partner Cherrelle, who helped him to storm the British charts for the first time in 1985 with *Saturday Love*, a classic club record.

While the album will not start a soul revolution, it pushes some of

the emotional buttons of O'Neal's best work. Voice intact and energy restored, he will play a series of British shows next month with a bigger tour to come next year, when *Baby Come To Me* is released as a single. "We're banking on the fans still being there," he says, admitting to some nervousness. "I want to believe that they grow up with you and they grow old with you."

In his absence, new titans of R&B such as Jodeci, R. Kelly and Blackstreet have risen to power with many a reference to the "old-school" sound of O'Neal and his ilk. Not to mention developing his trademark, boudoir-soul stage show to a point that leaves little to the imagination. "I can't put down what they're doing," he says. "That's what they're selling, sex. I have sold some sex in my day."

He may again: when O'Neal plays here next year, he might bring the bed with him. "I told the guys from the record company they should hold a poll on a radio station before I do the shows, and see how many people want the bed back."

In fact, not only the bed but all of O'Neal's goods and chattels may be on their way. As if in gratitude to the country that has given him another chance, the father of six and his fiancée are now considering making Britain their permanent home.

"I'm the happiest I've been in a long time," he says. "I see daylight now. I never used to."

● *Lovers Again* is released by One World/EMI Premier on Monday. Alexander O'Neal starts a seven-date UK tour on Dec 6



After years spent treating every night as if it was Saturday night, Alexander O'Neal is clean and cooking

What have cosmic Kula Shaker and reality got in common? Blowed if Caitlin Moran knows

I come from a hippy background myself. I know my Zen from my Tao. I know that allowing yourself a regular session of relaxing and clearing your mind (meditation) is a useful tool to stop you going insane, and that having a mainly raw, organic, vegetarian diet makes you feel fit as a fox and ready for anything.

However, I also know that a hippy lifestyle tends to em-

Mystic mug goes pop

brace smoking an awful lot of marijuana, and this can lead to talking an appalling amount of hazy, paranoid waffle. The average pot-head believes that the way society is currently run is unworkable and unethical — something with which most people would

have a vague affinity. However, if you really want to do something to change the political and moral climate, you have to be practical about it: and a stoned man in a tie-dyed T-shirt, talking about conspiracy theories and the mystic powers of the number ten, is

possibly the least effectual instrument of change.

Currently the worst peddlers of this pseudo-deep "spiritual" water-treading are Kula Shaker. Lead singer Crispian Mills — son of Hayley, grandson of Sir John — was obviously revolted by his public school

contemporaries, and decided to "drop out". He listened to the Kinks and the Beatles, travelled to India, and formed a band, calling them Kula Shaker on the basis that K has enormous spiritual power. So far, so good, if a little clichéd. However, Mills seems to have absorbed a lot of Eastern philosophy and religion without understanding it, and appears to have reached the conclusion that merely knowing these things automatically makes him a revolutionary.

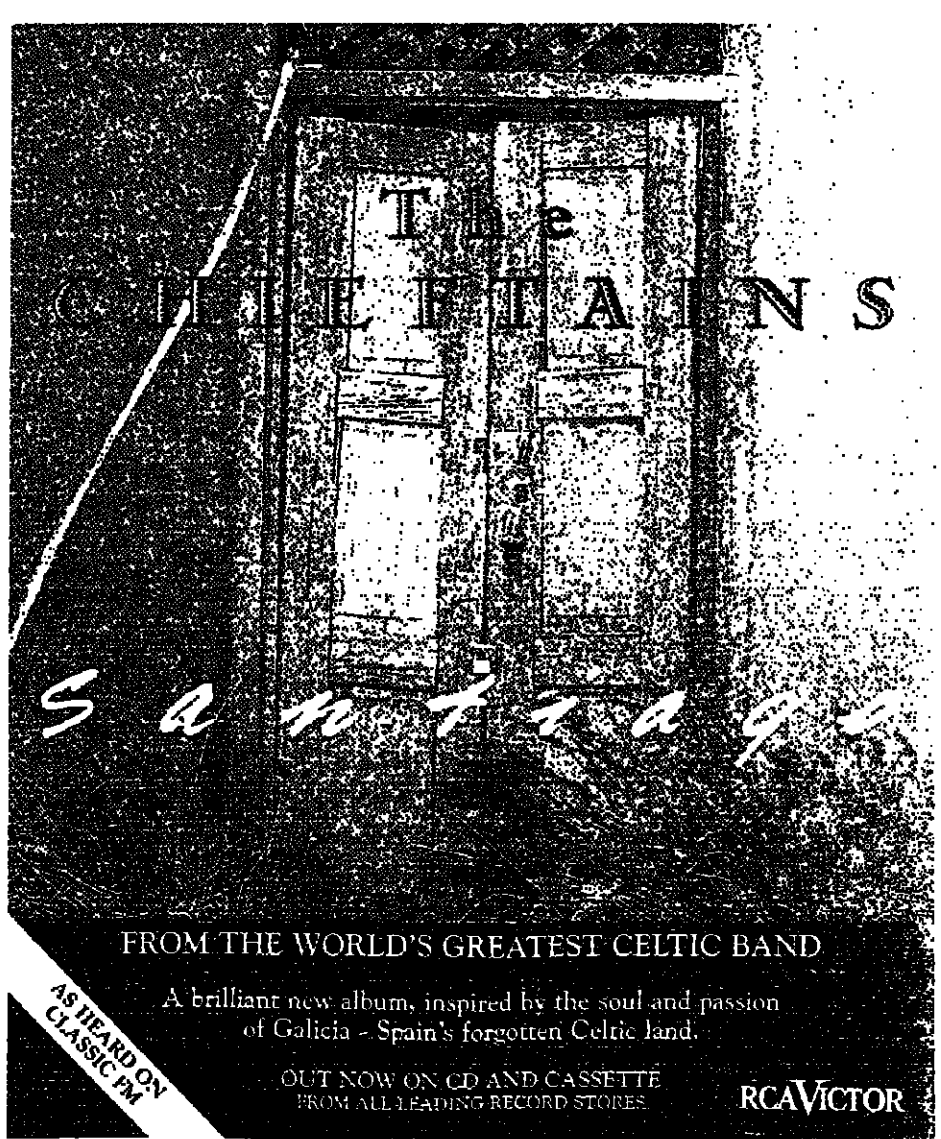
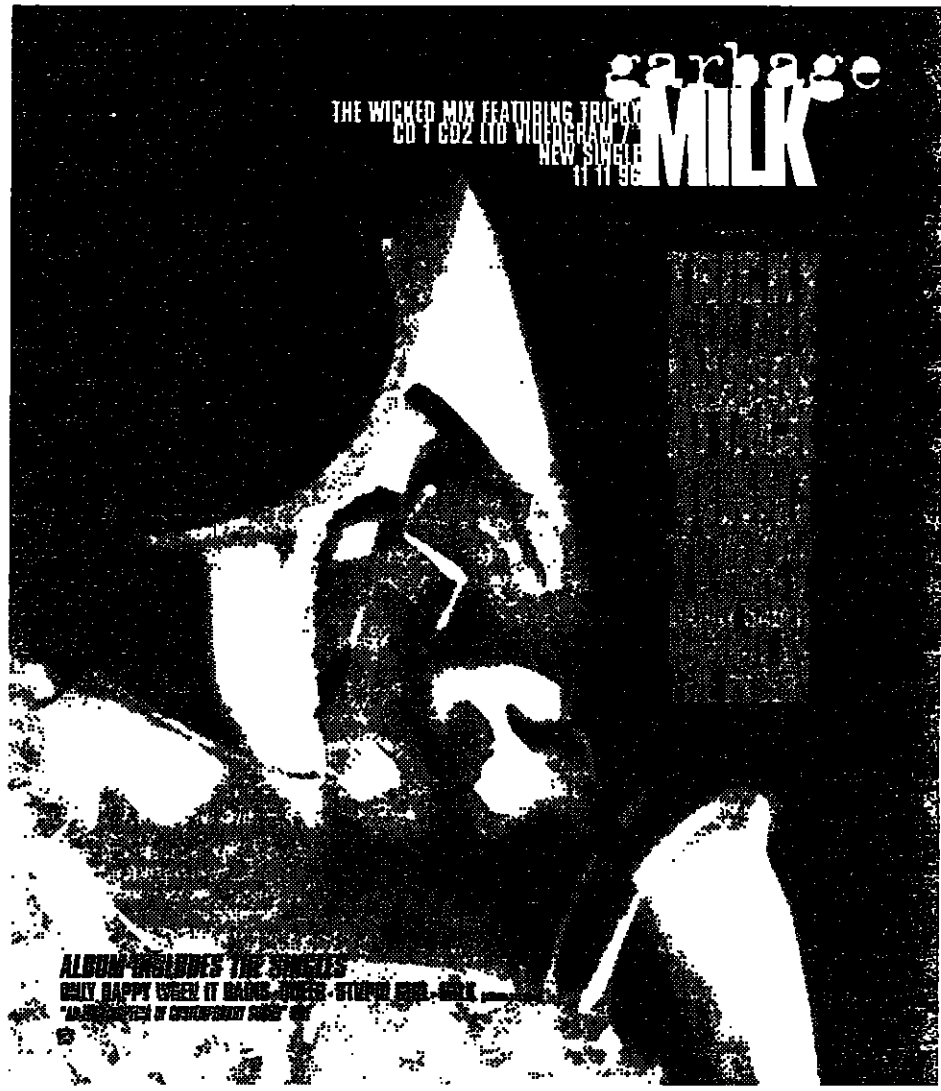
"I think we're a force for youth revolution," he told *NME* last month. "We're subverting the system through the system." So far, Kula Shaker's revolution has consisted of singing their Top Ten hit *Tattva* in Sanskrit, thus making any "message" unintelligible, insisting that the cover of their No 1 album, *K*, contains a collage of people and things that begin with the letter K, with King Kong, Clark Kent, Captain Kirk and a kettle all helping to bring about world peace; and bravely stating that people who "live in Hampstead are animals".

Kula Shaker believe that Britain is on the edge of a cataclysmic change, as evidenced by a series of magical harbingers. When questioned as to what these mystical harbingers might be, Mills replied: "I turned on the TV yesterday and they were playing *Tattva* in the hairdressers on *Coronation Street*." Well, that's pretty conclusive.

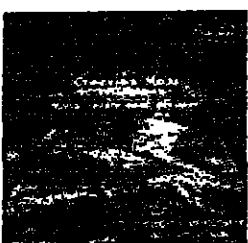
Of course, this all seems fairly harmless on the surface. But generational leaders — which pop stars with No 1 albums certainly become — can't term themselves revolutionaries on the basis of being heard on *Coronation Street*. If you want to bring about change, you need facts, figures, names, addresses, phone numbers and the means to get this information to as many people as possible. *K* has already sold 300,000 copies; had Mills replaced pictures of Ken Dodd on its cover with Amnesty International's phone number, then he might have achieved something.

Being spiritually aware doesn't automatically exclude being organised and focused. Julian Cope, one of the most enlightened "heads" in the music industry, has preached about the energy of stone circles and the symbolism of the cross for years. However, he also gives regular charity concerts, gives half of his T-shirt stall space to political and ethical pressure groups.

Surrendering control of your life to, in Kula Shaker's case, "the spirit of St George", leaves you gullible and ripe for being taken advantage of. "Why the hell else do you think *Tattva* went straight up the charts?" Mills asked an interviewer who was cynical about "magical forces". It's not the mystical power of the letter K, Crispian. It's called marketing.



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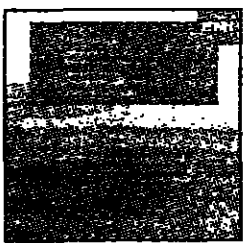
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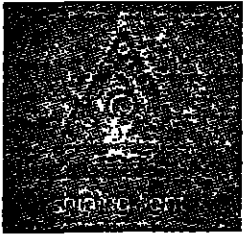
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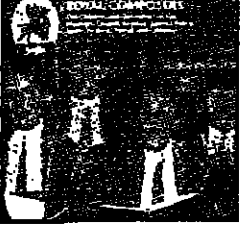
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THEATRE 3
Playwright Jon Marans draws inspiration from Robert Schumann for *Old Wicked Songs*



RADIO
File on 4 explores a new range of ideas about work and unemployment

THE TIMES ARTS



OPERA 1
A 'Puccini opera', but a century too late? *Florencia en el Amazonas* opens in Houston



OPERA 2
... while, in Glasgow, Richard Armstrong directs a strong cast in Scottish Opera's *Trovatore*

Schumann meets his lunatic match

THEATRE: An American has written a curiously European play.
Matt Wolf reports

In a theatre driven by stars on both sides of the Atlantic, it is rare for the play to be the thing. But such is the feat managed by Jon Marans's *Old Wicked Songs* in its current off-Broadway run, following acclaim earlier this year as a finalist for the Pulitzer Prize for Drama.

In London, where Marans's play transfers next week after a season in Bristol, attention will inevitably be paid to the leading man, Bob Hoskins, who is returning to the stage after 13 years. But while Hoskins's presence in the West End is undoubtedly an event, so, too, is the emergence of a new American dramatist possessed of a sense of history — and immersion in culture — that is traditionally thought of as European.

Set in 1986 Vienna, *Old Wicked Songs* pits Hoskins's Professor Mashkan, an ageing music professor whose life has become a series of lies, against newcomer James Callis as Stephen Hoffman, a young American pianist recovering from a breakdown who goes to Austria to sign on as Mashkan's student. What brings the two together, and gives the play its dramatic arc, is Schumann's *Dichterliebe*, which the American — a would-be accompanist — is given to learn vocally in order to gain some understanding of the challenges faced by singers.

Why *Dichterliebe*? Marans had a specific reason for choosing this song cycle, a touchstone of the German Romantic repertoire. "The words are by Heine, and there's definitely a young man's passion in the poems," Schumann then put this layer of melancholy on top of it," explains Marans, who looks far younger than his 39 years.

As a 19-year-old, this Maryland native spent six months studying in Vienna during a break from Duke University in North Carolina, where he read maths and minored in music. "I had to study Schubert's *Die Schöne Müllerin*, but *Dichter-*



Songs for an angry young man: Jon Marans shows off the poster for his play, which has brought Bob Hoskins back to the West End stage after a 13-year absence

liebe" — in the Fritz Wunderlich recording ("It may not be the one that's most technically brilliant, but it's the one that gets me most") — "was what I always found most haunting. It's a young man's anger and passion, and since that's what I was then, that's what I responded to."

Marans continues: "What happens in the song cycle is oddly mirrored in the play: the lyrics are the young man; the music, with its more experienced tinge of melancholy, is really the older man. It's the older man who adds a whole layer of irony and sarcasm. The American is very black and white; he sees things very much as a young man

does. These are two people who have a lot of self-loathing, who aren't proud of who they are; the play is about those things inside us — the old wicked songs — that we've got to let go."

The playwright began work on the script in 1990 during "a terrible time for me". His best friend had died the previous year. He then witnessed the collapse in London four days before rehearsals were due to start of a new American musical, *Gold Diggers*, to star Barbara Windsor and Chita Rivera, for which he had co-written the book and provided additional lyrics. "Basically everything fell apart in my life; I was a mess" — the perfect

moment, then, to write a play in which, as Marans points out, a young man "hopes to find some salvation, to see if he's doing the right thing with his life."

At university, Marans dreamt of being a lyricist-librettist and playwright but — as is not uncommon — got sidetracked by the film industry and took a lucrative job in New York as a script editor for Michael Douglas. "I never thought I would go back to the theatre, especially musical theatre; I thought, it's just not happening." But it was in writing from the heart, as opposed to on commission, that he found both his own voice, and an audience.

"It's interesting," says Marans, who went back and finished the play in 1993 (*Frasier* star David Hyde Pierce did the first reading), "because I thought *Old Wicked Songs* was the play of mine no one would ever do. I said to myself, 'I'm going to write something very personal, since nobody's ever going to do a play in which the third character is the piano and the music of Schumann. I'm going to write what I want; I don't care any more.'"

Instead, "for better or worse it's the play in New York that has been 90 per cent talked about." Productions are being mooted as far off as Japan and Argentina (though not yet in Vienna). Now Marans is

fielding the inevitable film offers — "one studio I met wanted me to add a murder to the play" — while completing his next play, *The Fabulous Invalid*, a dark farce about Broadway.

"All I really wanted to do was to make a living in the theatre, especially at this point," says Marans. So why continue writing plays? "Because I'm a lunatic, because I've been ingrained with a respect for the theatre more than anything. And I don't know many people who still feel that."

● *Old Wicked Songs* previews from Wednesday at the Gielgud (0171-494 5065), opening on Nov 18

Designs on our jobless

Gales and ideas have in common the fact that they mostly blow west-east across the Atlantic, sometimes bringing fresh air and at other times leaving a trail of structural damage. The latest support for this contention came in File on 4 (Tuesday). Radio 4's long-running social trends programme.

This edition was about getting the unemployed back to work, and told a tale that suggests we are well down the road towards switching the main responsibility for jobless people from the public to the private sector.

About half the programme was spent explaining the status quo, including Project Work, a pilot scheme expanded by the Government yesterday. This involves long-term unemployed people being given a job for three months; refusal means loss of benefit.

The scheme offers incidental proof that government unem-

ployment figures are as unreliable as the jobs market they supposedly illustrate: boasts about cuts in the long-term unemployed sound hollow when you consider that anyone involved in Project Work who goes back on the dole after three months becomes a new claimant, thus ceasing to be long-term unemployed.

Still, something has to be done about massive social security bills. America Works is a thriving company that employs the unemployed. The company pays jobless people the national minimum wage, thus taking them off the US welfare bill, and sets about finding them a job at above the minimum wage: America Works pockets the difference.

In effect, the company is competing with the public sector to find jobs for the unemployed. And the company is winning: four times as many people are found permanent jobs by America Works as are placed by the State.

File on 4 reported that managers from America Works have already met British politicians and the company is to visit the UK next week, raising the possibility that having already bought into our gas and electricity, the Americans might soon own our dole queues.

File on 4 is representative of the best of radio programming, information and analysis delivered in a no-nonsense style. Research claims that we remember only half of what we hear but nearly all of what we see, but I question that.

Surely radio delivers information more usefully than television, which requires the viewer to absorb words, faces, graphics and the rest. If only more people were listening.

PETER BARNARD

OPERA: A thrilling touring production of *Trovatore* opens in Scotland, and a Puccini-esque premiere poses a puzzle in Texas

Letting rip with Verdi

FORGET the production. "Village hall stuff," Rodney Milnes called it when new four years ago. It is now in the hands of Karen Howard, who has raised it to town hall level, although further progress seems unlikely. Forget, too, Tim Hatley's anonymous sets. Instead, concentrate on the voices. For *Trovatore* Scottish Opera has engaged a quartet of singers well worth hearing, with the two ladies taking most of the honours.

Il trovatore
Theatre Royal, Glasgow

London was clear evidence of that. And now she has the weight to let the notes open and bloom over the orchestra. The penultimate scene, outside Manrico's prison tower, depends almost entirely on the soprano, and Walmesley-Clark relished every minute of it. *Bel canto* comes naturally to her, but the songbird has added a touch of darkness which

recalls Rosalind Plowright. It was a pleasure, too, to hear Anne-Marie Owens in a part with some true red meat in it. Her Azucena was hampered by being kitted out in an extraordinary russet trouser-suit, which made her more like a society hostess down on her uppers than a gypsy apt to get things muddled. Owens overcame all this with the sheer panache of her performance. *Ai nostri monti* could have done with a bit more tenderness. But to make up for that she literally spat defiance on being captured by di Luna, and scored a direct hit.

Jason Howard, a baritone who has been making much progress this year, took it all in his new considerable stride. The voice shades off a bit at the top, but the middle register has a keen vibrancy. *Il balen* was bumpy, but once into the cabaletta he was away. The Chinese tenor, Deng, has become a house regular for the heavier Verdi roles. There is little grace in the voice, as the wedding cavatina made all too evident. But give Deng a sword and a cluster of



Vigour: Richard Armstrong

high notes to attack and he certainly has a go. Richard Armstrong also always has a go with Verdi. He had to nurse his Ferrando (Brian Matthews, none too happy in Italian) through the opening narration, then he let his players feel the pulse. With a sturdy chorus and four powerful voices, he could afford to let rip.

Those who like their Verdi vigorous will find much pleasure as *Trovatore* tours until the end of the month.

JOHN HIGGINS

Safely up the Amazon

HOUSTON Grand Opera has an admirable record for commissioning new operas. There is a special corporate support fund to back such enterprises, and HGO attracts joint commissioners to ensure that these premieres are not just one-offs.

In such a serious context its latest commission, Daniel Catán's *Florencia en el Amazonas* (Florence on the Amazon), poses a bit of a problem. In the West and South of America there is an acknowledgement that Spanish is the second most widely spoken language in the States, and a wish to explore Hispanic arts. Catán was born in Mexico in 1949; his last opera, *Rappaccini's Daughter*, was given a successful new production in San Diego in 1994; this led to HGO's first commission in America of an opera to be performed in Spanish.

So far so good. Much was made in the advance marketing of *Florencia*'s supposed connection with the works of Gabriel García Márquez, but reading between the lines it seems that the Grand Old Man politely declined permission to adapt his work, and put the composer in touch with one of his pupils, Marcela Fuentes-Berain.

Her libretto describes a voyage up the Amazon to Manaus at the turn of the last century. *Florencia* is an opera singer who has abandoned her roots and her lover for a European career, and has returned in search of both. A pair of young lovers fight shy of commitment in the first act, but decide to give it a go in the second; a married couple quarrel in the first act, make it up in the second — the symmetry is a little too pat. There is a wise ship's captain, and a river spirit, and *Florencia* reconciles art and love.

HGO's general director, David Gockley, had said: "I want nothing less than the most beautiful opera in the last 50 years," and in certain respects he has got it. Catán's score for *Rappaccini* was unashamedly Neo-Romantic, but with a Ravellian spiciness. In *Florencia* he settles for early Puccini, betraying at

Florencia en el Amazonas
Houston Grand Opera

times embarrassingly close knowledge of the Italian master's patterns and techniques.

The problem is how much mileage there is to be gained from creating a Puccini opera a century too late. What does this contribute to the art form in the dying years of the millennium? Do composers no longer seek to change the

world? Catán is a prodigiously gifted composer with a natural, indeed Puccini-esque feeling for the stage; I just pray that with his next opera he aims a little higher.

Florencia was skillfully conducted by HGO's music director Vjekoslav Sutej. Sheri Greenawald gave a characteristically committed performance in the title role, and Suzanna Guzman stood out as the quarrelsome wife. But despite so much excellence on stage, one came out thinking, so what?

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Law Report

1996 Court of Appeal

Assignment of remedy void on ground of public policy

Investors Compensation Scheme Ltd v West Bromwich Building Society
Same v Hopkins & Sons (a Partnership)
Alford and Others v West Bromwich Building Society
Armitage and Others v Same

Before Lord Justice Leggatt, Lord Justice Swinton Thomas and Lord Justice Mummery
[Judgment November 1]

A remedy in respect of a cause of action was not capable of assignment in circumstances in which a mutually exclusive remedy was left with another party, such assignment being void on the ground of public policy in that it impeded the proper administration of justice.

On the true construction, on its ordinary and natural meaning, of one of two standard claim forms, issued by the Investment Compensation Scheme Ltd, the administering body under a statutory scheme, to be used by investors claiming compensation from authorised persons unable to satisfy the investors' claims of civil liability incurred as a result of their investment business, the investors assigned to the ICS all their claims against a third party building society, other than claims of any kind which included claims to reduce the sums which they would otherwise have to pay to the building society in respect of sums they borrowed from it, including interest on any such sums.

The Court of Appeal held in a reserved judgment when it allowed the appeal of the Alford and Armitage investors from the judgments of Mr Justice Evans-Lombe in the Chancery Division on October 3 (The Times October 10) in respect of two preliminary issues and on October 17 in respect of three preliminary issues, and dismissed the appeal of the ICS against his judgment of October 3.

ICS was established under section 54 of the Financial Services Act 1986, pursuant to which there were brought into existence, by the Secretary of State, the Financial Services (Compensation of Investors) Rules 1990, Rule 2.02 related

to payment of compensation, and rule 2.10 to recoveries.

The claim form, section 3(b), headed "ICS Declaration", provided:

"ICS agrees that the following claim shall not be treated as a third party claim for the purposes of this agreement and that the benefits of such claim shall accrue to you absolutely:

Any claim (whether sounding in rescission for undue influence or otherwise) that you have or may have against the building society in which you claim an abatement of sums which you would otherwise have to repay to that society in respect of sums borrowed by you from that society in connection with the transaction and dealings giving rise to the claim (including interest on any such sums).

In section 4, dealing with investors' agreement and acknowledgement (rights against participant firms), by paragraph 6, the investor assigned absolutely to ICS "each and every third party claim and the benefit thereof", and in paragraph 10 third party claim meant "any right, claim or cause of action which the claimant has or may have against any person other than the participant firm or against any fund or property in the hands of any person other than the participant firm and arising out of the circumstances giving rise to the claim or otherwise relating to the claim."

Mr Justice Evans-Lombe had declared, on the preliminary issues:

1 On the true construction of the claim form, claims for:

(i) damages or equitable compensation for undue influence, misrepresentation, breach of duty, and/or breach of assistance in breaches of fiduciary duty; and
(ii) an account of sums owing to the claimant by the building society and West Bromwich Building Society "after abatement or adjustment in respect of the said damages and/or compensation" made by those investors (a) had not been validly assigned to ICS and (b) could be pursued by those investors.

2 That the claims advanced by ICS

had not been validly assigned.

3 Each investor was contractually obliged to account to ICS for the value of any recoveries whether by way of damages, equitable compensation, set-off, adjustment of the amounts due on the mortgage upon rescission, damages in lieu of rescission or otherwise howsoever, made by that investor against any party resulting from the investor having entered into a home income plan scheme and in particular against West Bromwich Building Society, up to the total of the following ICS recoveries:

(a) the amount of compensation paid by ICS to the investor, and
(b) such amount in respect of interest on such compensation as the ICS considered just and
(c) costs incurred by ICS in effecting or attempting to effect recovery for the investor's claims arising from his entry into the scheme.

4 Each investor would hold any recoveries, whether by way of damages, equitable compensation, set-off, adjustment of the amounts due upon rescission, damages in lieu of rescission or otherwise howsoever, made in respect of the investor's claims on trust to pay the ICS recoupment to ICS.

5 If the answer to 3 or 4 above was "yes".

(a) the following was a term of the contract comprised in the claim form and obligations imposed on each of the investors by virtue of that trust: that the investors would conduct the investors' claims and any settlement negotiations in respect thereof reasonably and with due regard to ICS's interest;
(b) it was not a term of the contract, and/or an obligation imposed on each investor by the trust, that the investors were obliged to claim damages and/or equitable compensation in such proceedings and/or claims in preference to or in lieu of rescission of their mortgages and/or mortgage debt.

Mr Nicholas Strauss, QC and Mr Neil Kitchenier for the Alford plaintiffs; Mr Nicholas Strauss, QC and Mr Jonathan Middleburgh for the Armitage plaintiffs; Mr Geoffrey Vos, QC

Mr Denis Brock, solicitor, and Mr Guy Morris for ICS; Mr David Oliver, QC, Mr Andrew Hopkinson and Mr Vernon Flynn for West Bromwich Building Society; Mr Neville Thomas, QC and Mr Mark Cannon for Hopkins & Sons, as representative of some defendant solicitors, and for other defendant solicitors.

LORD JUSTICE LEGGATT said that, from an agreed statement of facts, not admitted by the building society or the solicitors, from October 1991 the ICS had received claims from investors, most of which were made in 1991 and 1992 had entered into home income plans on the advice of independent financial advisers.

Fisher Prew-Smith Ltd (FPS), regulated by the Financial Intermediaries (Managers and Brokers) Regulatory Association (Fimbra), the investors alleged that FPS, negligently and in breach of contract and statutory duty, failed to give them proper advice. FPS having become insolvent, the investors sought compensation from ICS under section 54(b) of the 1986 Act.

Actions brought by ICS against the building society and the solicitors were brought as assignees of investors pursuant to written assignments each investor had entered into one of two standard ICS compensation claim forms.

The investors, although they made assignments in favour of ICS, nevertheless pursued their own actions against the building society and not the solicitors, alleging they had entered the scheme to obtain cash to spend as they wished, the scheme being designed to attract investors who had little income but significant equity in their homes.

FPS advised them to take out from the building society one of three types of so-called equity release mortgages, under which the mortgagee borrowed a sum equivalent to up to 50 per cent of the value of the property. Interest payments were either rolled up or subtracted from the mortgage.

No repayments were required until the mortgage debt exceeded two-thirds, or in some cases 60 per

cent of the value of the lending rate. The solicitors acted for those taking out the mortgages.

Although the investors could use the proceeds of the mortgages as they wished, FPS's advice was to keep about 20 per cent of the advance and use the balance in discharge of any previous mortgage and to buy investment bonds to meet the repayments to the building society.

In most cases interest rates rose, homes declined in value, and the bonds performed poorly and were eventually sold at a loss.

A disciplinary committee of Fimbra found in March 1991 that FPS acted in breach of Fimbra's rules for failing to ensure their clients understood the risk of entering such a scheme, but FPS went into members' voluntary liquidation and was dissolved in July 1993.

ICS, having declared FPS was in default under the rules, apprised investors of their right to claim compensation. Each investor completed a claim form which constituted a contract between the investor and ICS.

His Lordship said that the judge had decided a similar case, *Investors Compensation Scheme Ltd v Cheltenham and Gloucester plc* [1996] 2 BCLC 163 in which he had concluded that the ordinary and natural meaning of "any claim" in the second paragraph of section 3(b) of the claim form was "all possible claims".

In that case he accepted also that his construction of section 3(b) substantially altered its drafting and was more appropriate to rectification than construction. He had abandoned the natural meaning on the ground that it would lead to a ridiculous commercial result.

The judge's preferred construction of the claim form was that the parties intended the scope of the exception upon the rights assigned to be confined to the claim to rescind and any consequential claim to reduce the amount due to the building society which would have to be repaid as part of restitution consequent upon rescission.

So far from recognising that such a construction did violence to the language of section 3(b), the judge concluded, on the latter three preliminary points, that the investors were contractually obliged to account to ICS for the value of all recoveries, including those resulting from the consequential claims which fell within section 3(b).

Although he had held the parties intended to execute a statutory assignment of rights other than the right to rescind, and that such assignment was not ultra vires, he concluded that the purported assignment was void since its effect was to leave different remedies arising from the same chose in action in different hands.

Mr Vos contended, *inter alia*: 1 That the judge was wrong to suggest that a cause of action or group of causes of action was all

that was capable of amounting to a chose in action, and that what was assigned was not a chose, but only part of the remedies held prior to assignment.

2 That all the rights in all the investors' causes of action were assigned to ICS except rights to rescission and ancillary relief. The rights assigned, principally to damages, were supported in relation to any cause of action in which a right was retained by part of that cause of action.

Looking, therefore, only at the cause of action for misrepresentation, what was assigned was a chose in action, the right of action for damages, and what was left to the investor was also a chose in action, the right of action for rescission.

3 That there was no reason why an assignment of the right to damages for misrepresentation should not take effect as a valid equitable assignment of a chose in action, or as a transfer under rule 2.10(1) of the 1990 Rules.

His Lordship said that the argument depended on showing that the words "any claim (whether sounding in rescission for undue influence or otherwise)" should be read or understood as though they read "any claim sounding in rescission (whether for undue influence or otherwise)".

It was common ground that that was not the natural meaning of the words, and, in his Lordship's view, it was not an available meaning.

There was simply no warrant for limiting the rights retained to claims for or consequent upon rescission.

Mr Vos even went so far as to argue the section should be construed against the investors on the contra proferentem principle. But, in his Lordship's view, that was a throw of desperation: there was no ambiguity, and if there were, no court would ever hold that a document brought into being by ICS to govern its relations with investors under home income plans should be construed against those investors.

The judge's construction that "any claim" meant "all possible claims" was not disputed. What remained in issue was the extent of any qualification introduced by the words "in which you claim an abatement..." In the present context abatement meant reduction. So any form of set-off would suffice.

Mr Strauss's primary argument was that the obvious inference was that investors with outstanding mortgage liabilities were intended to be left with all claims of any kind which they might have to reduce those liabilities.

It seemed to his Lordship that there was no proper basis for departing from the natural and ordinary meaning of the words used. Mr Vos contended that a construction failed to take account of the fact that the claim form made it appear that rights against all third parties were intended to be assigned.

So they were. But what the investor retained were claims in which he claimed an abatement, and it was only against the building society that he would have claims to set off.

Mr Vos also argued that such a construction made many of the words of section 3(b) otiose, and that to gauge its intended effect one had to look at the claim form as a whole, which showed ICS throughout as the person suing.

His Lordship said that Mr Vos's construction would make the whole of section 3(b) otiose. The words in brackets were not inconsistent with the natural meaning; they merely specified for the avoidance of doubt a particular right retained. The claim form provided for the implementation by ICS of such powers as were assigned to them by the investors.

There was nothing ridiculous about the commercial result. Many of those partially compensated would have outstanding liabilities to the building society against which they might wish to set off all such claims as they might have in reduction of those liabilities.

A large number of investors did pursue individual claims against building societies. Their purpose in so doing, no doubt, would have included a wish to control the proceedings for themselves, including any settlement, and to avoid liability to ICS for interest and costs.

The judge did not seem to have appreciated that it was his adoption of a meaning other than the natural meaning of the words used that resulted in such a splitting of the remedies as he held rendered the assignments void.

Mr Oliver submitted that the assignment contained for by Mr Vos attempted to divide the indivisible. Whatever else could be assigned, while retaining a potentially alternative remedy. Since the purpose of section 3(b) was to procure a reduction in sums payable in respect of a mortgage, it was capable of constituting an alternative to rescission.

That was to be distinguished from cases like *Wilson v United Counties Bank Ltd* [1930] AC 102 where the House of Lords had held that there was no reason why two different heads of damage could not be treated as separate causes of action and so as separate causes in action capable of being vindicated independently of each other.

Those claims were, however, cumulative and not, like the claims sought to be assigned in the present case, alternative to other claims. His Lordship agreed that no assignment was in those circumstances possible.

The 1990 Rules could not supply the missing power. Mr Vos relied on rule 2.02, payment of compensation, as effecting an assignment to ICS of rights other than rights of and associated with rescission.

But the rule referred to an

agreement such as was the subject of paragraph (d) of that rule. That denoted an agreement into which the parties were competent to enter.

It could not be contended that there was delegated to the secretary of state power to appropriate some form of statutory assignment incidentally effected by an agreement of the kind for which rule 2.02 provided as one of the preconditions for the payment of compensation.

There was no express provision producing that result, and it would flow from the considerations of public policy which invalidated an equitable assignment.

Not even Mr Vos's presentational skills could disguise the fact that his approach involved the splitting of remedies. The effect of splitting the remedies available in respect of one cause of action or set of facts, between two different plaintiffs gave rise to insuperable difficulties, because the remedies with which the investors and ICS were left were overlapping and mutually inconsistent.

Damages claimed by ICS would be computed by reference to each investor's outstanding mortgage liabilities, but if the investor sought to set aside the mortgage, he would claim to replace the interest rate charged by a lower rate fixed by the court. Yet the claim form provided no means, express or implied, for determining which party's remedies were to take precedence.

Because there was no such provision, his Lordship accepted Mr Strauss's argument that Mr Vos's construction also made the assignment void for uncertainty. The notion that that difficulty could be cured by existing section 3(b) could not be right.

That would result in the assignment to ICS of the very claims which by force of section 3(b) were intended to remain with the investor.

To get over that difficulty, ICS argued for a term that the investors were bound to account to ICS for all recoveries; that argument prevailed with the judge and resulted in his answer to the latter three preliminary issues.

But there was in truth no express term to support that conclusion, and no basis to imply such a term, for the obvious reason that as well as being unworkable it would be incompatible with section 3(b).

The effect of implying a term to give ICS precedence would be to deprive investors of the benefit of claims which by section 3(b) were to be theirs absolutely.

In his Lordship's judgment the claim form should be construed on its ordinary and natural meaning. Lord Justice Swinton Thomas and Lord Justice Mummery agreed.

Solicitors: Barnett Sampson, J. Keith Park & Co, St Helens; Clifford, Chance, Everheds, Birmingham; Reynolds, Porter Chamberlain; Weightmans, Liverpool.

Outstanding cases in Lloyd's litigation

Lloyd's Litigation: Outstanding cases (No 2)

Plaintiffs in a number of outstanding Lloyd's litigation cases set down for trial in 1997, who had not accepted the recent market settlement, should be fully advised by their solicitors on their position as to costs and generally in the event of their pursuing individual claims.

Appropriate consent orders should be drawn up vacating the fixed date in those cases where no plaintiffs in a particular case proposed to continue their claims.

Where it was unclear whether any particular plaintiff proposed to continue with his claim, the parties, and in particular the defendants, should apply to the court for directions as soon as practicable unless the parties agreed an order in similar terms to that in *Aarons v Arthur Andersen* (The Times, October 8, 1996).

Mr Justice Cresswell so stated in a statement issued on October 30 concerning outstanding cases in the Lloyd's litigation in the Commercial Court of the Queen's Bench Division.

HIS LORDSHIP said that the statement, made further to the statement dated September 23 (The

Times October 8, 1996) was primarily directed to all solicitors acting for parties in the following cases where a trial date had been set for 1997: *Wellington (Long tail)* (January); *Macmillan* (February 3); *Janston Green 1 (Long tail)* (April); *King (April)*; *Pulbrook 90 (Long tail)* (June); *Poland (Long tail)* (June); *Secatan (Long tail)* (October).

Solicitors for the plaintiffs in those cases should fax a copy of his Lordship's statement to the defendants' solicitors.

Each of the above cases a high percentage of names had accepted the recent market settlement. In several of the cases it was not clear what action the few plaintiffs who had not settled proposed to take. It was obviously most important that each person should be fully advised as to their position as to costs and generally, in the event of their pursuing individual claims.

If it was clear that no plaintiffs in a particular case proposed to continue with their claims, *Pulbrook 90* appeared from correspondence to be such a case, an appropriate consent order should be drawn up, *inter alia*, vacating the fixed date.

If it was not clear whether any plaintiffs in a particular case

proposed to continue with their claims, his Lordship suggested that the parties seek to agree an order in similar terms to the order dated September 26, 1996 in *Aarons v Arthur Andersen* and *WMD Underwriting Agencies Ltd* (in liquidation) (i) vacating the trial date (ii) extending time for completion of the application for further directions generally (iii) providing that if any plaintiffs wished to pursue their claims they had to apply to the court for further directions within a limited period of time (iv) providing that if no application for further directions was made within the time stipulated the action(s) be stayed, or dismissed.

(v) directing that the effect of the order should be communicated by the plaintiffs' solicitors to all plaintiffs who had not accepted the market settlement as soon as practicable.

If the parties could not agree such an order, the parties, and in particular the defendants, should apply to the court for directions as soon as practicable and if possible before November 8, 1996.

In the case of *Wellington* and *Macmillan*, his Lordship directed that any such application be made before November 8, 1996. For completeness, his Lordship

recorded that he recognised that some defendants applied to certain defendants, for example the actuaries in *Secatan*. In such cases application would have to be made to the court for directions if no agreement was arrived at.

Notice should be given to Lloyd's of any applications for further directions and Lloyd's should be invited to attend where appropriate.

Although this statement was primarily directed to cases where a trial date had been set for next year, parties in all other outstanding group actions where no trial date had been set should consider adopting a similar approach to that set out above.

Dog entitled to benefit of acquittal

Regina v Haringay Magistrates' Court and Another, Ex parte Cragg
Before Lord Justice Rose and Mr Justice May
[Judgment October 28]

Where there had been an acquittal on charges laid under section 1 of the Dangerous Dogs Act 1991, fresh proceedings under section 5(4) of the Act should be brought in relation to the same dog in the same ownership.

The Queen's Bench Divisional Court so held in granting the application of Jeanette Cragg for judicial review and quashing an order for, *inter alia*, the destruction of her dog made by a stipendiary magistrate sitting at Haringay Magistrates' Court on March 24, 1996.

The dog, Kizzie, belonged to the applicant. The Crown Prosecution Service had brought a criminal case against another person under section 1(2) but he was acquitted. The dog was returned to the applicant but was immediately re-seized and a police officer initiated proceedings to be tried on the lower civil burden of proof, for an order for the destruction of the dog under section 5(4).

Section 1 of the 1991 Act provides: "(1) This section applies to — (a) any dog of the type known as a pit bull terrier... (2) No person shall — (a) allow such a dog of which he is the owner or of which he is for the time being in charge to be in a public place without being muzzled and kept on a lead..."

Section 5 provides: "(4) Where — it appears to a justice of the peace... that no person has been or is to be prosecuted for an offence under this Act... he may order the destruction of the dog and shall do so if it is one to which section 1 applies."

Mr Robin Allen, QC and Miss Pamela Rose for the applicant; Mr John McGuinness for the police.

MR JUSTICE KAY said that if the present applicant had been the defendant in the first proceedings then it was conceded that it would have been wrong to proceed against her under section 5(4).

The second proceedings involved the same dog which had been in the same ownership throughout. In those circumstances it was wholly inappropriate and wrong to take proceedings against the applicant and the application to the stipendiary magistrate to stop the case should have succeeded. It was an abuse of process and should have been held so.

Lord Justice Rose agreed. Solicitors: J. Weinberg & Co, Edgeware; Solicitor, Metropolitan Police.

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CHANGING TIMES

O'Donnell thrown into turmoil of Jets' crash

The Christmas lights went up on Fifth Avenue yesterday, wound tightly round tree trunks, interwoven among branches, sparkling amid the home-bound headlights. It is a golden time here, in appearance and in outlook, a time when social commentators and sporting analysts are talking boldly about a "New York state of mind", a winners' approach.

Most of it has been engendered by the Yankees' surprise triumph in the baseball World Series last week, but, for many of the other teams too, New York is a wonderful town again. The Rangers have Wayne Gretzky, the ice hockey icon, the Giants are looking as though they will make the National Football Conference play-offs after all and the Knicks could have their best basketball team for years.

There is just one catch, one team dragging the city down with its persistent mediocrity. The New York Jets, the laughing stock of the National Football League, have lost eight of their first nine games and are on target to equal the worst ratio of losses to wins in a season.



NEW YORK STORIES

It's like playing a bad movie over again. On street corners across Manhattan, stalls display T-shirts insinuating that Jets stands for Just End The Season. Last week a New York sports journalist was moved to write that the team's opponents had "done to the Jets what a baby does to a diaper". "Lost Cause", one of the back pages screamed.

One player sought an explanation for their fortunes by suggesting that they might be training on an Indian burial ground. "It's the Bermuda Triangle," another said. "It has moved 300 miles to the north and a couple of hundred miles to the west. I've never seen anything like it."

After one particularly devastating defeat, the coach, Rich Kotite, sent his players home to study video footage of the debacle. "It's like playing a bad movie over and over again," Lonnie Young, a side-

run at a team record of ten games, he was hit hard just after he had released a pass. He dislocated a shoulder.

He has been out of the team ever since, condemned to a purgatory of watching practice from the sidelines at the team's training facility at Hofstra University on Long Island. He began throwing the ball again for the first time two days ago but, for the majority of the season yesterday, he stood in the midst of a small group of players watching the team run through its drills.

He will not be fit to face the soaring New England Patriots at Giants Stadium on Sunday but hopes to be involved the week after. The Jets have at least scored a solitary victory — over Arizona Cardinals — in his absence but the team's insecurities are still painfully evident in the Pythonesque idiosyncrasies of Kotite, who has taken to refusing to allow spectators to sit down when they watch the team training.

O'Donnell, a straightforward, home-loving man with a booming baritone voice who hails from New Jersey, where the Jets play their home

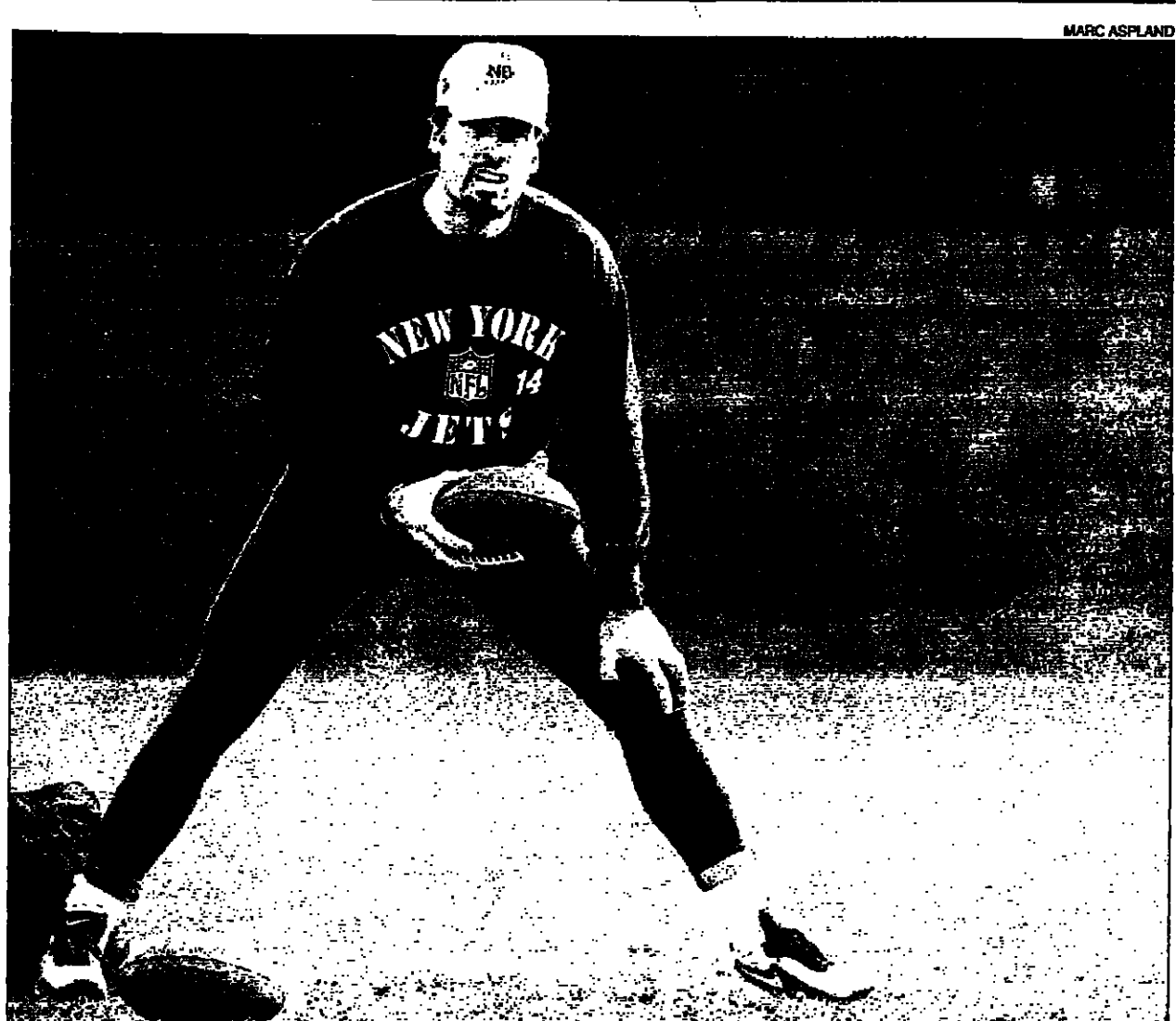
games, has rightly escaped most of the criticism for the team's parlous performances and remains uncowed.

"The people who said I came here for the money were the ones who didn't want to put much thought to it and wanted to write a story real quick," he said. "I never thought we would be 1-8 right now but I made a decision and I can't look back. I cannot second-guess myself."

"I have never been around losing like this and it has been very frustrating but, right now, I am just trying to get back on the field and make some things happen. It is worse because when I got injured I thought things were starting to come together."

"Now we just have to go out and try and win a few games so we can come back next year on a positive note. I don't think anyone outside of here gives us a chance. They are all saying it is the same old Jets but I am looking at it in the long run, not just one season. First of all, we have to stop the bleeding."

OLIVER HOLT



O'Donnell's first season with New York Jets has been plagued by injury and the despair of persistent defeat

It's like playing a bad movie over again

GOLF

Woosnam shares long-haul lead

By Our Sports Staff

IAN WOOSNAM returned a two-under-par 70 to share the second-round lead with Ernie Els in the eight-man Johnnie Walker Super Tour tournament that was launched in Taipei on Tuesday. The players flew to Seoul for the second round yesterday, with the third round following in Manila today and the final round in Bangkok on Sunday.

Woosnam made a shaky start on the 6,970-yard, par-72 Hanyang Country Club outside Seoul, with a bogey at the 2nd hole, but, under an overcast sky, he picked up three birdies on the back nine for a two-round total of 138. Els had two bogeys and three birdies for a one-under-par 71. Park Nam-shin of South Korea, was in third place with 139, with Colin Montgomerie and Lin Keng Chi, of Taiwan, a further shot adrift.

Vijay Singh, of Fiji, was sixth with 143, while Chawalit

Plaphol, of Thailand, and Felix Casas, of the Philippines, were some way off the pace with scores of 146 and 147 respectively.

Corinne Dibrach has a point to prove in the women's Australian Open, which got underway in Melbourne yesterday, and she made an encouraging start to her efforts to do just that. Disqualified from the tournament last year, Dibrach compiled a five-under-par 68 at Yarra Yarra to be tied for the lead with another Australian, Mardi Lunn.

Their scores were a shot off the course record and gave them a comfortable three-stroke lead over two Americans, Stephanie Martin-Cobb and Katherine Golden. Debi Koyama, of Japan, Kathryn Marshall, of Scotland, and Susan Farron, of New Zealand.

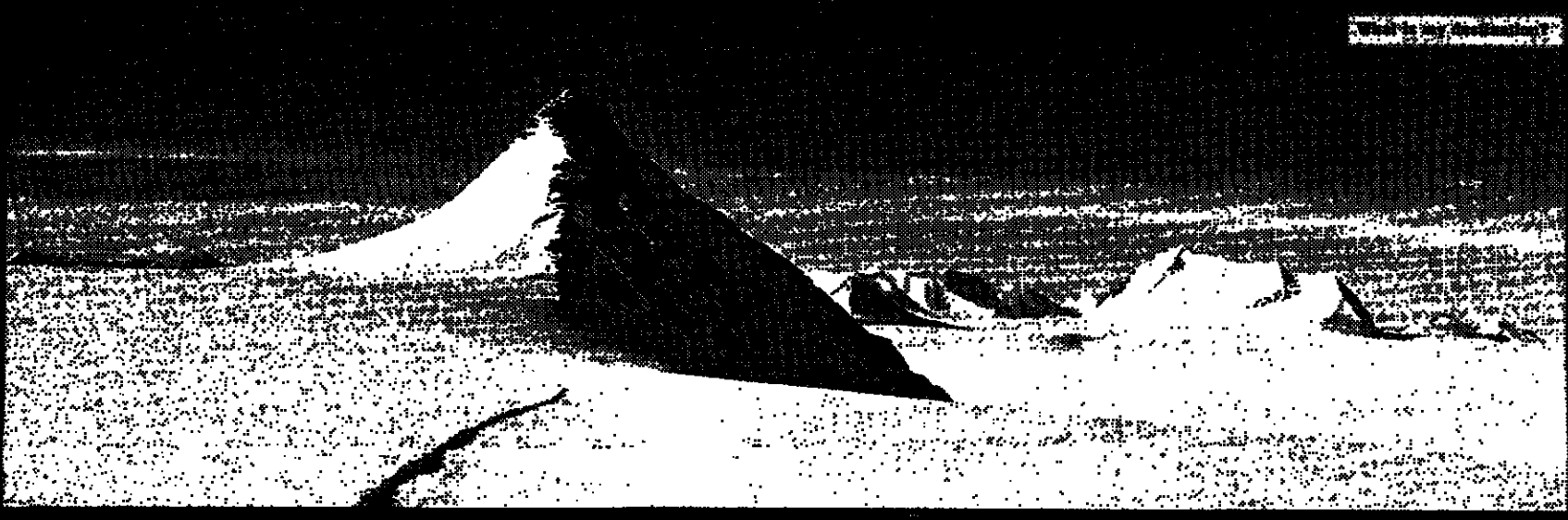
Dibrach and Simone Williams, a young amateur player from Queensland, were disqualified in the event in 1995 for hitting each other's balls by mistake.

Karrie Webb, who is keen to add a big home victory to overseas wins that include the British Open last year and three successes on the US LPGA Tour this year, finished with a one-under-par 72 to be four off the pace. Now ranked No 4 in the world and a contender to be the leading money-winner in the United States this year, Webb said she was troubled by the slow greens and was unable to judge the pace properly.



Woosnam: in front

AT -30°C IT BECOMES



DIFFICULT MORE TO STRAIGHT TO STRAIGHT THINK.

At -5° your fingers go numb. At -15° your body goes numb. At -30° your mind goes numb. However resilient you are, when hypothermia sets in, normal disciplines go to the wall. How then does a Royal Marine avoid the problem and remain ready to fight?

He's trained to avoid hypothermia in the first place, by recognising and understanding the symptoms. Think you could cope?

In the absence of Arctic conditions, read through these questions. There aren't necessarily right or wrong answers, but then again it's pointless attempting them if you're not going to be completely honest. We need people, but they must be the right people.

In the middle of the night, police arrive and arrest you on suspicion of car theft. You are innocent. Do you:

- a) Say so, refuse to go to the station, while losing your temper?
- b) Ask them what they're on about and demand to talk to a superior?
- c) Agree to go to the station and help with enquiries, not forgetting to phone a solicitor?

Check how well you can tell the time without looking at your watch. Guess out loud what time it is. Now look at your watch. Double-check what time it is and call it out. Now, without looking at your watch again, answer the following question: 'What is the number 6 on your watch?' (Is it a numeral 6, a Roman numeral, a dash, two dashes, a triangle or what?)

In the Royal Marines you need to pay attention to detail and learn to take in even those things which at first seem unimportant.

A helicopter you were travelling in has to make an emergency landing on its way carrying out a night mission behind enemy lines. Once on the ground it's clear that the helicopter is useless.

There are eight of you with only enough food rations to last two days. What do you do?

1) Stay exactly where you are in the hope that you will be picked up by your own forces, but risk having been seen by the enemy?



2) Push on to try to accomplish your original mission objectives, even though the timetable for completion will now be badly disrupted?

3) Try to withdraw as soon as possible towards the nearest 'friendly' encampment, but chance the possibility of giving your location away to enemy forces in the area?

Next a memory test. Study this list of objects. Can you say which one corresponds with which number, even when the numbers are asked out of order?

- 1. Position
- 2. Tent
- 3. Mallet
- 4. Pegs
- 5. Guy ropes

On operations and on training exercises Royal Marines often have to form a plan where none exists. Imagine for a moment that the temperatures are close to freezing, in front of you there is a fast flowing, 12 metre wide river.

You need to get across as do the other 7 men who are with you. You know that a mile upstream there is a small village where you could probably find a boat to get you across. What do you decide to do?

- 1. Swim across one by one, thinking that the river isn't really so wide, but you know you'll get wet?
- 2. Use your ropes to winch yourself across above the water?
- 3. Or make your way to the village to look for a boat?

Time is against you, so you need to think quickly. Not easy is it?

A quick final question, can you remember what number three corresponded with in the exercise before?

Those are the questions over with. The mere fact that you've bothered to go through them already says a lot about you.

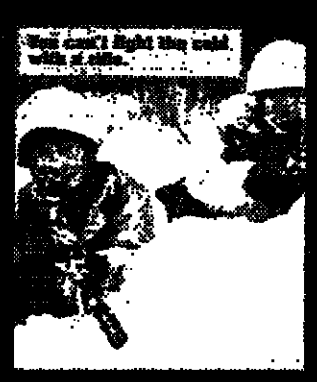
Go back and look over your results. Do you think they indicate someone who can provide commonsense solutions to practical problems?

You can show us your qualities by attending our three day recruit selection course. This will give you a chance to look at us and we at you. After that you'll do 30 weeks' recruit training, which is longer than any other force. This will put you in the best mental and physical shape of your life.

The training is intense and professional. Battle conditions, the pressures, the noise, the confusion are all realistically simulated. You'll learn advanced survival techniques.

But much more than all the superman stuff, what we emphasise is the mental battle. The determination to continue and the gradual change in approach that makes every Royal Marine able to operate in the most hazardous conditions in the world.

Prove yourself, and you'll use your skills alongside some of the finest men in the land to defend your country's interests on land as well as at sea. If that kind of vision appeals, we need people now, so please fill in and post the coupon to us, or call 0345 300 123.



For more information and to receive our free 30 page booklet, fill in and post this coupon to: The Commandant, Royal Marines, PO Box 100, Royal Naval School, Gosport, Hampshire, GU14 6PP. Tel: 0235 532 322 (an 0800 number).

Name (Mr/Ms/Ms): _____
Address: _____
Postcode: _____
Telephone: _____
E-mail: _____
Please send me your free booklet and information on becoming a Royal Marine. I understand that my details will be held on file for future recruitment purposes.

ROYAL MARINES COMMANDO

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FOOTBALL

Kick-off 7.30 unless stated

European under-21 championship
Qualifying group two
Georgia v England
(at the Batumi Stadium, 9.30am)

Qualifying group seven
Holland v Wales
(at the Fylf Stadium, Brackley)

Nationwide League
First division
Huddersfield v Bradford (7.45)

HELLENIC LEAGUE: Premier division
Carson v Pafos
FA U18s TROPHY: Second qualifying round
Chesham v Yeading

SUNDAY FOOTBALL: Premier division
Preston v Gillingham (7.45)

FA WAFS LADIES NATIONAL LEAGUE
Premier division: St Patrick's Ath v Home Farm (7.45), Shelbourne v Dundalk (7.45)

An international match
Scotland v South Africa
at the Fylf Stadium, Brackley

THE TIMES
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RUGBY UNION

Tuigamala to cap dual-code career on Samoa's wing

By DAVID HANDS, RUGBY CORRESPONDENT

VA'AIGA TUIGAMALA, who has charmed the waters of both codes in England since winning the last of his 19 rugby union caps for New Zealand, will make yet another landfall on Tuesday when he makes his first appearance for his native Western Samoa in a rugby union international.

Tuigamala, 27, will make a one-off appearance on the wing against Ireland at Lansdowne Road. He joins the touring party today, will watch the game against Munster in Cork tomorrow, and when the Samoans return to London on Wednesday, he will return to Wasps, for whom he has played all season as part of the lease-lend agreement involving several other Wigan rugby league players.

He played regularly for the All Blacks between 1991 and 1993 before signing professional forms in January 1994. As a rugby league player, he appeared in the World Cup for Western Samoa last year and is now in the happy position of being able to help his country

in the other code. "We are not talking money here but sheer patriotism," Bryan Williams, the Samoa coach, said.

"This is a big plus for us. 'Inga' is an icon in the islands and we are happy to have him for his professionalism and his ability." Tuigamala will be joined in the squad by Junior Paramore, the flanker who went to Castleford and is now playing for Bedford, their presence confirming Williams's assessment of Samoa's needs after so many of his leading players took up offers from rugby league, from Japanese clubs or New Zealand provinces.

Even on what is a development tour, English clubs have been in touch with Samoa players. Steve Bates and Dean Ryan, from Newcastle, attended their match with Oxford University on Tuesday, and Pat Lam, the Samoa captain, is only one of several players to have received offers.

"Several clubs from the UK have been in touch, but playing the British season is not a problem for us as an interna-

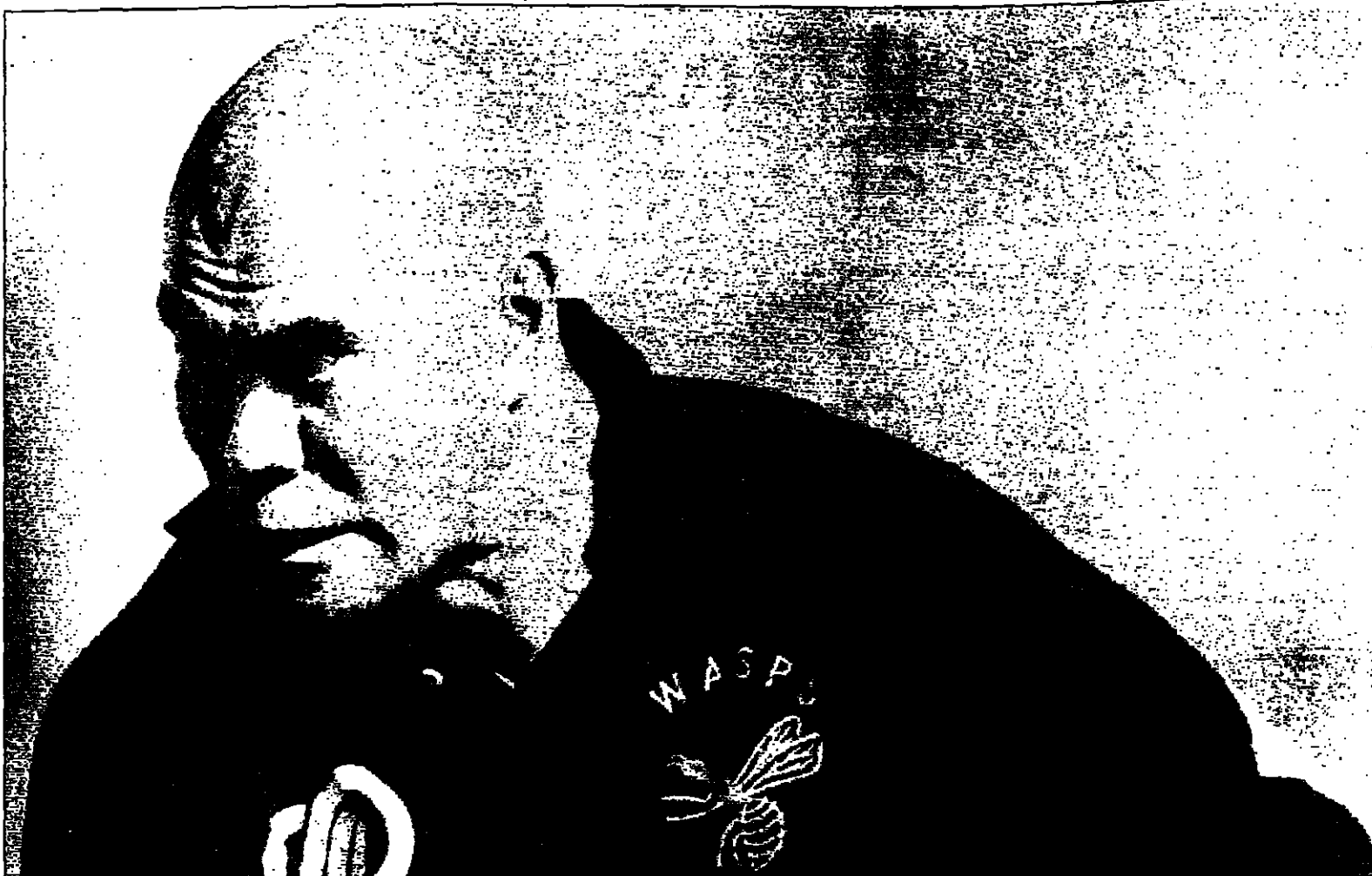
tional team," Williams said. However, Ireland's commitments, against the Samoans and then the A International against South Africa on Tuesday, have created problems for the first division league programme in England tomorrow.

Ireland started a five-day training camp in Limerick yesterday, and International Rugby Football Board requirements give preference to international duties. Accordingly, two more games — Harlequins versus Saracens and Bristol versus Leicester — have been postponed. London Irish versus Wasps and Newcastle versus Rotherham had already been called off.

The most important issue was the players' aspirations to play "international" rugby. Tony Hallett, the Rugby Football Union (RFU) secretary, said, "The RFU approves the postponement of league matches if those clubs who have provided players so wish." However, Northampton's game with Bath will go ahead, even though Northampton will be without Jonathan Bell and Allan Clarke (Ireland). Gregor Townsend (Scotland), and Nick Beal and Craig Moir, who are rated only 50-50 because of injuries.

Bath surrender David Hill and Eric Peters to Scotland, but offer what will be an all-England three-quarter line of Adebayo, Suscott, de Glanville and Sleightholme. Jonathan Callard's continued absence from full back will give Mike Catt a further opportunity to practise his goalkicking, a duty he must now perform for England.

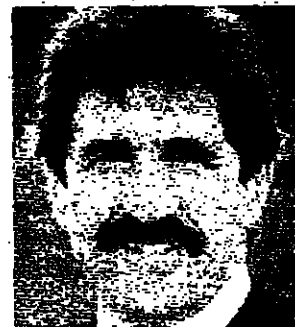
Of Ireland's first-team squad of 21, only seven are not contracted to English clubs, and the drain across the Irish Sea goes on. Moseley, who have signed Darragh O'Mahony, the wing capped from University College Dublin last year, and Henry Hurley, the Old Wesley prop, have also added Alain Rolland, the Blackrock College scrum half, to their list of imports.



Tuigamala, one time All Black and Samoa rugby league international, is to add rugby union honours for his native country against Ireland

Anglo-Welsh Cup looks fatally flawed

GERALD DAVIES



Rugby Commentary

THE Anglo-Welsh Cup is surely a dead duck this season and at this stage it cannot be imagined that the idea will be pursued for very much longer.

This is not because of the vast discrepancies in the stores that favour the English clubs ahead of their counterparts in Wales or the half-hearted nature with which it has been received, rather the concept has been overtaken by events. However, having said that, I am sure that what with all the comings and goings this season and the very moveable positions each rugby spokesman seems to take before breakfast and then shift immediately after swallowing the last morsel of toast, nothing can ever be taken for granted nowadays.

The problem is that it is difficult to imagine being able to fit everything into a season that, although long, is already far too congested. Something has to give. The Anglo-Welsh Cup may be the casualty. These matches have looked wan and under-nourished, weak and barely presentable, so that they have failed to

capture the public imagination. Clubs do not field their full-strength sides. The competition serves the clubs only in the sense that it allows them to give other members in their squads, and not the best XV, an opportunity of playing in the first team. Those returning from injury, as Neil Back, of Leicester, did on Wednesday evening against Neath, can be rehabilitated into the first team once more. Furthermore, it represents a chance to judge the form of a new recruit as well as to prove whether a club's presumed strength in depth does actually exist. In this last sense, England's first division clubs are better equipped than the Welsh clubs.

Apart from the Llanelli versus Bath match that ended in a 10-10 draw and about which all those who are present still talk warmly, the fixtures have been eminently forgettable as testing contests. The match at Stradey Park that revived the tradition between the two clubs and the "rag doll" they once played for, gave a sense of what an Anglo-Welsh

future might hold. But it is a prospect that can no longer be sustained. The evidence suggests that the competition is not taken seriously. The concept has been undermined and the public short-changed.

To turn the clock back so that the cross-border contests could once more be enjoyed was devotion to be wished. Both countries needed them. The competition stuttered early on, they may find their loyalty to be amply rewarded.

If the Heineken Cup is going from strength to strength then the Anglo-Welsh Cup is redundant. Henceforward, the clubs will meet in a wider world. It is, therefore, more streamlined domestic league competitions that will underpin it.

So far, new ideas such as the Heineken Cup and the Anglo-Welsh Cup have been superimposed upon an existing structure. This is unsatisfactory. No one is sure from one week to the next which competition they are preparing to see. The season is a shapeless mass.

Rugby's authorities might be wise to start again with a clean sheet to determine the structure of the club and international season. Present at such meetings along with representatives from the unions and the clubs, should also be whoever wins the television contract.

Television cannot remain on the sidelines. Its interests are inextricable.



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SPORT IN BRIEF

BBC win contract to cover Heineken Cup

BETTER late than never, English rugby union enthusiasts will receive a glimpse of the Heineken Cup on television from the quarter-finals onwards (David Hands writes). The BBC, whose regional programmes in Wales, Ulster and Scotland have already been showing Heineken Cup pool matches, have reached agreement with European Rugby Cup Ltd (ERC) to show the knockout stages, including live coverage of the final on January 25. After ITV withdrew from the tournament less than a fortnight before it began, ERC struggled to pick up the pieces.

However, the BBC's *Rugby Special* programme will be back on air and will, on November 17, include highlights of the previous day's games between Cardiff v Bath, Leicester v Harlequins and Dax v Toulouse, plus coverage of that day's game between Brive and Llanelli.

England on course

BOWLS: England and Ireland have virtually guaranteed their places in the quarter-finals of the Manly Regent International Hong Kong Pairs Classic in Kowloon. However, Scotland and Wales face uphill struggles in their last four matches if they are to reach the last eight. Andy Willis and Stuart Airey, of England, have lost only one match in seven while Jeremy Henry and Noel Graham, of Ireland, have won six of their first seven matches.

Pinsent's mystery tour

ROWING: Matthew Pinsent hopes to be in the Leander coxed four that competes in the Fuller's Fours Head tomorrow. Leander will start 35th, having asked for a low position because Pinsent, together with Steve Redgrave, has a luncheon appointment with the Lord Mayor in the City. A motorcycle taxi will reunite him with his crew mates, including Dan Harrison, the son of George, the former Beale, at the Chiswick start.

Wellington foiled

RACKETS: Tim Cockcroft and Toby Sawrey-Cookson failed in their attempt to become the first Wellington pair to win the Noel Bruce Cup doubles competition for public school old boys, which is sponsored by Peel Hunt. They could not reproduce the thrilling form of their 4-2 semi-final win over Marlborough and went down 4-1 to Willie Boone and Mark Hue-Williams, of Eton. Steady rallies and fierce serving were the key to victory.

Bulls maintain charge

BASKETBALL: Chicago Bulls continued their unbeaten start to the National Basketball Association season with a 106-100 victory over Miami Heat on Wednesday. Michael Jordan scored 50 points and Dennis Rodman picked up 22 rebounds, the best total of the season. Jordan, who has scored 50 points against 18 teams, said: "I don't have to score 50 points every night for us to win but we didn't get the normal support from our bench."

Yewchuck ban cut

ICE HOCKEY: Marty Yewchuck, of Cardiff Devils, has had his record 21-match suspension reduced to nine matches by the sport's disciplinary body. Yewchuck was given a three-game ban after being ejected from a match at Nottingham Panthers last month for "excessive" roughing, a suspension that was later increased to nine and then, after an appeal, 21 matches. A £1,000 fine on Yewchuck was also cut to £60 yesterday.

SHEEHAN on BRIDGE

By ROBERT SHEEHAN, BRIDGE CORRESPONDENT

A few weeks ago when I was looking at leads against no-trump contracts I asked the question 'Should you be active or passive?' The same applies to suit contracts. You have to consider several points:

- have your opponents stretched or do they have values to spare?
 - can you reasonably expect partner to contribute many defensive tricks?
 - how do you think your cards lie in relation to those of declarer?
- If the opponents bid: 1S—3H—3S—4S, they have something to spare. This is the time to make an aggressive opening lead, perhaps the king from king doubleton for example. But say they bid: 1S—2H—2S—3S—4S. Now they have a minimum opening bid facing a game invitation; they may well go down provided you do not give them a trick with your opening lead.

Consider the following hands after the sequence: 1S—2C—2H—4H:

(i) ♠AQ1054 ♥843 ♦KJ5 ♣84 (ii) ♠J65 ♥Q83 ♦KJ83 ♣KJ5

On Hand (i) you have excellent defensive prospects; good spades over declarer's first bid suit; short clubs under dummy's first suit. It seems unlikely that declarer will make his contract unless he can do a lot of ruffing. Lead a trump to cut down ruffs, and a second trump when in with a spade. It is one of the few occasions when a trump looks best.

Hand (ii) is the complete opposite: bad spades over declarer's good clubs under dummy; lots of high-card points suggesting that partner will not be much help. The best chance is to lead a diamond. Maybe you can kick off with three tricks in the suit and later come to the queen of hearts.

Try another sequence, 1S—2C—3C—4S:

(iii) ♠872 ♥873 ♦KJ102 ♣Q4 (iv) ♠A ♥A762 ♦A10983 ♣J762

Hand (iii) looks poor as there are few defensive prospects in the black suits. Best to attack with an aggressive jack of diamonds. Hand (iv) doesn't look so bad—at least trumps are 4-1 and you may make a club and a heart to go with a trick in partner's hand. So should you try a diamond against? No, listen to the bidding. How many clubs does partner have? Probably no more than one. If that is the case you can more or less guarantee the defeat of the contract by leading a club. You will get in with the ace of spades and give partner a club ruff, and then get back in with the ace of hearts to give him another club ruff.

You will have a chance to consolidate what you have learned about opening leads next week—the daily articles will be on that subject.

□ Robert Sheehan writes on bridge Monday to Friday in Sport and in the Weekend section on Saturday.

WORD-WATCHING

By Philip Howard

HYGIENOLATRY
a. Excessive hand-washing
b. Rabies
c. Health fanaticism

URTICANT
a. Stinging
b. Traveller's slang
c. Urgent

CADUCEUS
a. A deciduous tree
b. A stick with snakes
c. Roman Dux of the Saxon shore
BEDIZEN
a. A Cambridge bedmaker
b. Two dozen times
c. To decorate

Answers on page 46

KEENE on CHESS

By RAYMOND KEENE, CHESS CORRESPONDENT

Couldson International

As part of the proliferation of international standard events following the 1993 clash between Garry Kasparov and Nigel Short, the Couldson International stands as one of the more interesting innovations. It was a tournament of category three, where international master results were possible. Formerly, such events were rare but the organiser, Chris Dunworth, has proved that any enterprising club or association can stage its own international standard event and achieve World Chess Federation recognition for its status.

King's Indian

David Bronstein, whose games we are celebrating this week, was one of the first to recognise the dynamic potential of the King's Indian Defence. Today's game shows the kind of blitzkrieg devastation he could unleash against unsuspecting opponents.

White: Zita

Black: Bronstein

Match, Prague v Moscow 1946

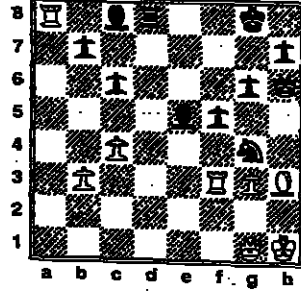
King's Indian Defence
1 c4 e5
2 Nc3 Nf6
3 Nf3 d6
4 d4 Nd7
5 g3 g6
6 Bg2 Bg7
7 O-O O-O
8 Bb2 c6
9 Bc2 exd4
10 e4 exd4
11 Nxd4 Qb6
12 Qd2

Couldson International: Final Results

	1	2	3	4	5	6	7	8	9	10	
1 Naylor	—	0	1	0	1	1	1	1	1	1	8
2 van Mill	1	—	0	1	0	1	1	1	1	1	6
3 Wall	0	1	—	0	1	1	1	1	1	1	6
4 Grouth	1	1	1	—	0	1	1	1	1	1	6
5 Gormally	0	1	0	1	—	1	1	1	1	1	5
6 Lutz	1	0	1	1	1	—	1	1	1	1	5
7 McMahon	0	0	0	1	1	1	—	1	1	1	5
8 Richardson	0	0	1	1	1	1	1	—	1	1	4
9 Baker	0	1	1	1	1	1	1	1	—	1	4
10 Adeline	1	0	0	0	0	0	0	0	1	—	3

In the above table, 1 represents a win, 1/2 a draw and 0 a loss

Diagram of final position



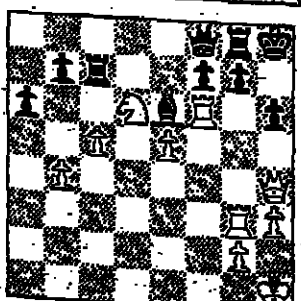
Times book

The Times Winning Moves 2 contains 240 chess puzzles from International Grandmaster Raymond Keene's daily column in The Times, and is available now from bookshops or from B. T. Batsford Ltd (tel: 01376 321276 at £6.99 plus postage and packing).

□ Raymond Keene writes on chess Monday to Friday in Sport and in the Weekend section on Saturday.

By Raymond Keene

White to play. This position is from the game Malisauskas—Illescas, Erevan, Olympiad 1996. White now smashed the black kingside open with his major pieces. Can you see how?



Solution on page 46

BOXING: WORLD CHAMPION BEGINS TO APPRECIATE IMPORTANCE OF SETTING THE RIGHT EXAMPLE

Tyson keen to shed his wild image

FROM SRIKUMAR SEN, BOXING CORRESPONDENT IN LAS VEGAS

MIKE TYSON seems at last to have begun to appreciate how important it is for a sporting hero to set the right example to the youth of America. He came to this conclusion after much self-examination after his release from prison 18 months ago.

Perhaps because of some public relations advice or the realisation that he had a duty to promote his World Boxing Association heavyweight championship bout with Evander Holyfield here on Saturday, or both, he invited journalists to the piedmonted mansion of Don King, his promoter, to convince them that his hell-raising days were over.

"I have to be an example for my kids," he said. "I have to stop them from doing what their father did. They may want to be rebellious like I was. I'd like to believe my wild behaviour was for environmental reasons. But I think it was just in me. I remember what the great Jackie Robinson [a legendary baseball player] said after his son got hooked on drugs: 'All the kids listen to me, except my own.'"

"I can't be a playboy any more. My life is over. I have given up a lot of good times to accept what I have. Now I just do my prayers, my fight training and think of my children. I'm not being righteous but just trying to make sure my children are not screwed up. At 19 I was out of control."

Tyson related how he had been devastated by the behaviour of his boyhood hero, Roberto Duran, when he quit against Sugar Ray Leonard in the "No Mas" [no more] welterweight championship fight in New Orleans in 1980.

"I was just a kid, 14," Tyson said. "I didn't know what to do

with my life. He [Duran] did a number on me. I'll never forget that night. He was my idol. I was intoxicated with him. I loved his style."

Recalling the time he was knocked out by James Buster Douglas in Tokyo in 1990, he said: "Champions don't quit. The only way you quit is when you're face down on the floor. Not taking a beating like a man is unethical. You fight until you can't fight no more. That's the way I was brought up."

Tyson said he first realised what a public nuisance he had been when a fellow prisoner admiringly mimicked his behaviour to show what he would do to society when he left prison. He was appalled. "I said that's me? Man!"

Listening to him talking about how domesticated he had become, even to the extent of changing his nine-month-old daughter, Rayna's, nappies, you could not help wondering how much of this might be for the consumption of the parole authority that restricts his movements outside Ohio, where he lives.

No doubt some of it is aimed in that direction but when he turned to politics you felt that this at least might be straight from the heart. His views were certainly contrary to black political thinking. "My friends will kill me for this," he said shaking his head. "We're supposed to be stopped."

He regretted that as he is still under parole, he could not vote in the recent elections. He would have been happy to support the candidate who wanted to stop welfare. "As an ex-felon I can't vote," he said. "That's regrettable. It's only been in the last few years that I have been conscious of voting. People on welfare use it as a crutch. It takes away your



Tyson takes a breather during a training session on a punch bag in preparation for his title bout with Holyfield

dignity, pride and zest for fighting the odds. You know, this is the first generation Tyson family that has been of welfare. For someone from my background who has been in prison, this is pretty incredible. "Sometimes when I am in

my dressing-room before a fight and I put on the gloves, I say to myself 'I can't believe I like doing this.' There has not been anything else I have been successful at. At \$30 million a pop, you can say I'm doing pretty good. "It doesn't matter how much

money I have now. Someone could come into this room right now and harass me if someone outside gets attacked. Because of my record they think I'm still capable of doing it again. To them, you are just an ignorant negro, too dumb to do anything. But

when you become a felon you suddenly become smart, shifty and manipulative." Tyson added that if ever he ended up broke, his children (he has three, Jina 7, Lorna 6, and Rayna) would never suffer. A trust fund would take care of them.

SAILING

ISAF to give decision on 'super dinghies'

BY EDWARD GORMAN
SAILING CORRESPONDENT

AFTER months of speculation, the council of the International Sailing Federation (ISAF) will today make up its mind on which Olympic class to dispense with to make way for the so-called high-performance dinghy.

The last step towards ensuring that one of the new generation of fast designs is included for the Sydney Games, was taken on Tuesday at the ISAF annual conference in Brighton, when the council voted in favour of choosing one of the boats tested in Italy in September.

The most likely selection is the Julian Bethwaite-designed 49er, a two-person skiff with asymmetric spinnaker which combines a simple rig and sparkling performance.

The contentious issue is which of the existing classes to drop to make way for it. In theory, anything could go. The most likely candidates, however, are the Star, the Finn or the Tornado. Another possibility is that the 470 might become an open class, whereas at present it is sailed in separate men and women's fleets. The Star is vulnerable because it is old, expensive and sailed in numbers in relatively few countries, but it has a formidable lobby especially in the United States.

The Finn has a very strong and active supporters' club. It is one of three single-handed dinghies in Olympic sailing along with the Laser and the Europe, and thus could be dispensed with. It has, however, been a proving ground for some of the best sailors in Olympic competition.

The Tornado might go because it was the worst supported class at Savannah where only 19 boats entered, but it has the merit of being the only multihull in the Games fleet.

After five days at sea, Pete Goss, of Britain, on *Aqua Quorum*, is in eighth place in the Vendée Globe non-stop single-handed round-the-world race. The leader on the way down the Portuguese coast is Yves Parlier, on *Aquitaine Innovation*.

HOCKEY

Doncaster adopt the winning mentality

BY ALEX RAMSAY

NOBODY has ever looked twice at Doncaster when it comes to predicting the contenders for the women's national hockey league championship. Over the years, they have earned a reputation as a nice little club, a friendly bunch with not a lot of money and not a lot of players — so when they put eight goals past the normally well-organised Hightown defence last Saturday, there was more than a little surprise expressed throughout the premier division. Little did anyone realise it was all part of the new Doncaster plan.

Since the beginning of the season, the squad has been directed by a new trio of advisers. Jane Perkins, a former Doncaster player, who was forced to retire with a knee injury, has taken over the coaching in tandem with Reuben Herbert, better known for his playing exploits with Sheffield, and Neil Roach, a sports psychologist who first heard of the club through his old friend, Herbert.

Gradually, Roach has convinced the team that while there may not be a huge list of international players lining up for selection, every player has her part to play in the team. His battle cry seems to be: "Don't panic."

"In the past, we would be quaking in our boots playing Hightown," Jo Clark, a midfield stalwart, said, "but Neil has been telling us to stop and think, not to panic and get rid of the ball. We beat Hightown in the Cup last year, so Neil told us to remember how we did that and repeat it — and we won 8-2."

Now the trick will be to do it again on Saturday against second-placed Clifton, the only team to have held Slough to a draw this season. Unfortunately for Clark, she cannot play.

"Just when it's all coming together, I've broken my hand and can't play for three weeks," she said. "We spent so much time talking about what we were going to do against Hightown that we only had 25 minutes to warm up. But it worked, so I think we may start doing that for every match."

SPORTS LETTERS

Hoddle's act merits praise

From the Chair of the Penal Affairs Consortium

Sir, Glenn Hoddle's selection of Paul Gascoigne for the England football squad may be debatable, but his encouragement to Gascoigne to undertake counselling and re-education deserves the strongest support.

Research for the Home Office and Scottish Office has shown that intensive re-education programmes are far more successful than other ways of dealing with offenders convicted of domestic violence. One third of participants in such programmes commit another violent act against their partner during a 12-month follow-up period compared with 75 per cent of those given other penalties.

Only time will tell whether counselling and re-education changes Gascoigne's behaviour. However, it is more likely to do so than the punitive responses which might have earned the England manager a better press.

Yours faithfully
PAUL CAVADINO, Chair,
Penal Affairs Consortium
169 Clapham Road, SW9

Foot care crucial

From Mr J. H. D. Heath

Sir, I was intrigued to read the article by John Goodbody about artificial playing surfaces and injuries sustained by players (Sport for All, November 4).

I am chairman of a hockey club that is engaged in installing its own artificial pitch and the one item on which the club is not prepared to compromise is the shock pad absorbency layer placed between the pitch and the foundation below. It is a clear from the article that a high-quality shock pad is crucial if injuries are to be avoided.

You also make reference to appropriate footwear being worn. There is a player in the northwest of England, not a member of my club, who has

Judgment must prevail in extreme weather

From Mr Peter F. Carter-Ruck

Sir, I should like to express my disagreement with the views of Mr Julian Everitt letter "Yachting abandons under-estimate safety", November 4. In my opinion, there are conditions where it is foolhardy to start an offshore race and, whilst one must be prepared for every weather condition at sea in the same way as approaching extreme weather conditions in mountaineering, it would not be right to start an offshore race in a storm force ten or hurricane conditions any more than it would be right for a team leader to start a difficult climb in treacherous conditions.

There is a great deal of difference in facing a force ten or even worse conditions at sea when crew have settled down to their watches and are already prepared for worsening conditions. To start a race, however, in storm conditions is inviting trouble when, as is usual at the start of a race, all crew are on deck and have not settled into watches.

This is not timidity but sensibility, and I can speak with some experience, having skippered or crewed in over 50

offshore races, including a number of Fastnets, and having left harbour in force nine on passage to Iceland in a 40-footer with only one other crew, and when the mail boat stayed in the harbour. I would not have left if the conditions had been force ten or more.

The Royal Ocean Racing Club, of which I have been a member for over 40 years, has an outstanding record and I am sure it will not deflect from its responsibility of using its judgment in extreme weather conditions before the start of a race.

Yours faithfully,
PETER F. CARTER-RUCK,
75 Shoe Lane, EC4A

From Mr James Wilkinson

Sir, Mr Everitt advocates the principle that yacht races should not be cancelled or abandoned under any circumstances, as to do so removes the opportunity to practise in extreme conditions.

He cites in particular the decision of the Hamble River Sailing Club to cancel the third race of the Hamble Winter Series on Sunday, October 27. Unfortunately, while there is some truth in what he says, there are practicalities in organising yacht racing that cannot be ignored.

To start a race in the prevailing conditions (south-westerly gale with gusts to 45 knots), as specified in the sailing instructions for the race, would have required anchoring the committee boat and two inflatable marks off a lee shore exposed to the full length of the Western Solent. I know that we could not have done so.

Down the ladder

From the Secretary of Hamilton Academicals RFC
Sir, Was it to spare further blushes to Harlequins that John Hopkins report, November 4 did not mention that in addition to the three Caledonia Reds players from third and fourth (Premiership) division Scottish clubs, we — as the club of the Caledonia lock

are actually in the seventh (National) division?

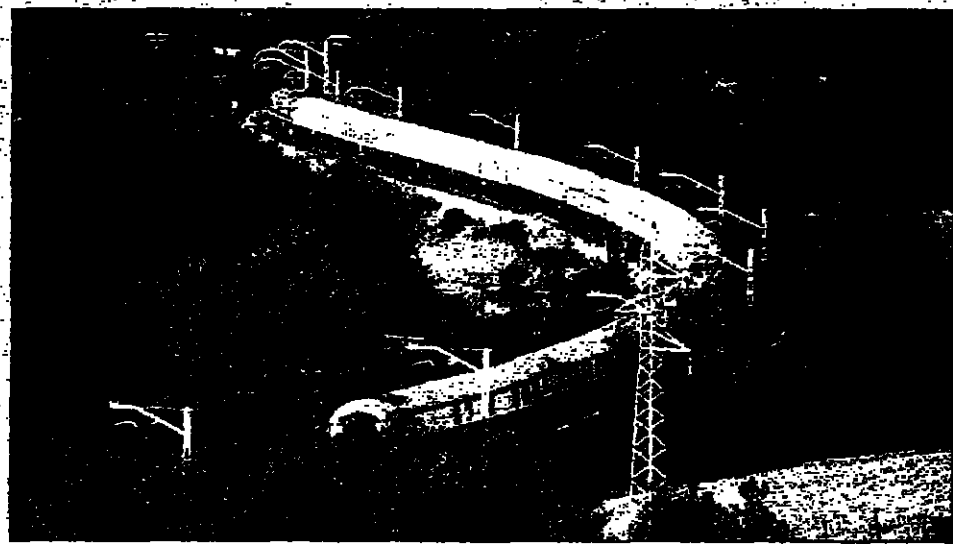
Although we hope to remedy matters at the end of the season, we are currently seven divisions below the Scottish Premiership fourth division.

Yours faithfully
JOHN M. STIRLING,
Secretary,
Hamilton Academicals RFC,
63 Almadra Street,
Hamilton.

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THE TIMES

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the Generalife Gardens in Granada and lunch in the Finca la Bobadilla, Marbella. You also visit the local sherry cellars of Jerez and the Royal Spanish Riding School before a flamenco evening. The winner may take the holiday in May or June 1997. The prize includes flights, 6 nights twin share accommodation, all meals including wine and sightseeing.

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CHANGING TIMES

Sports Letters may be sent by fax to 0171-752 5211. They should include a

RACING: WAKEHAM ENLISTS LADBROKES' CHIEF EXECUTIVE TO NEWLY-FORMED GROUP

Bookmaker given advisory role

By JULIAN MUSCAT

A LEADING representative of the bookmaking industry was yesterday given one of four places on the newly-formed Horseracing Advisory Group (HAG), which is to communicate informally with the Home Secretary on issues of concern to both sides.

Peter George, chief executive of Ladbrokes, has accepted an invitation from Lord Wakeham, chairman of the British Horseracing Board (BHB), to join the group. With bookmakers not represented on the BHB, George's appointment marks the first time racing has enlisted bookmaking interests within one of its front-line organisations.

George's nomination — alongside Lord Harrington, Sir Paul Fox and Sir Thomas Pilkington — emphasises the BHB's determination to forge closer and more meaningful links with the betting industry. Government has frequently criticised the two entities for

failing to work together. Although both industries have been financially hit by the National Lottery, neither can expect further long-term concessions from government without addressing their own relationship.

"Racing and betting are intertwined in respect of funding," Tristram Ricketts, chief executive of the BHB, said yesterday. "Lord Wakeham took the view that his group would be considerably less effective without bookmaker input. Peter George's membership is very important. He has a deep knowledge of the betting industry and a broader interest outside it."

George said the other three HAG members are, or were, members of the BHB. This is bound to rattle with owners and trainers critical of the BHB — particularly its failure to address the lack of prize-money in British racing. But Ricketts mounted a robust defence of the group. "It is important to recognise that

these appointments are personal," he said.

"This is John Wakeham's initiative with the Home Secretary, who accepted the proposals. It is the way he felt the group would operate most effectively in its formative stages." Ricketts added that the four men were all first choices of Wakeham, who

Pilkington, the club's senior steward, could be interpreted as a sop to an organisation, some of whose members still bemoan the BHB's advent.

Let it not be forgotten, too, that George's employer, Ladbrokes, is an influential member of the Betting Office Licensees' Association, which is in conflict with the BHB over the distribution of any tax concession announced in the Budget later this month. The association has pledged that should the Chancellor reduce betting tax by 1.25 per cent, it will pass on a 1.5 per cent deduction to punters.

This pledge, if granted by government, will leave no scope for racing's coffers to benefit directly through the levy, as happened when betting tax was reduced in March. It also portrays bookmakers as a source of self-help. Yet the initiative will hardly cost them; they already over-recover funds from punters' deductions.

As for Lord Harrington, his

reputation within government circles is secure. His vision underpinned the BHB's creation but he has since moved on from establishing the BHB to become deputy chairman of Sotheby's Holdings Inc. The "great racing debate" has also moved on. Many British owners are cutting back or getting out. Rather than dwelling on the past, fresh talent must be found to replace Harrington.

The group's composition will do little to bridge the unhealthy chasm developing between racing's administrators and its professionals. One man, whose presence would have greatly benefited the group is John Gosden, the Newmarket trainer.

He was recently appointed to the board of the Racehorse Owners' Association — effectively as the bookmakers' representative. Gosden would have been more than capable of accentuating racing's problems which lie beneath the gloss of wholesale Maktoum participation in British racing.



Wakeham believes that bookmaker input will be beneficial to his advisory group

Nap: KAISER KACHE
(3.30 Doncaster)
Next best: Soviet State
(3.30 Doncaster)

therefore has precisely the personnel he envisaged.

Although the group has a wealth of experience, Wakeham's preferred candidates leave something to be desired. The formation of the BHB essentially restricted the Jockey Club's role in racing to one of licensing and discipline. The inclusion of Sir Thomas

1.00 VALTEGORE

- 1.00 Valtogore
- 2.00 Narsik
- 2.00 Prussian Blue

The Times Private Handicapper's top ratings: 4.00 DAAWE.
Our Newmarket Correspondent: 2.00 Polbar. 3.00 Royal Blackbird. 3.30 BOLD DEMAND (nap).

GOING: SOFT
TOTE JACKPOT MEETING
DRAW: 5F-7F, HIGH NUMBERS BEST

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A near thing, but it was fabulous after all

So tell me darlings, why all the secrecy? When the BBC gets all reluctant with the review tapes, it normally means one of two things. First, that the programme is a real dog (ever wondered why you never see reviews of *Food and Drink*?) or, secondly, that it has a shock horror ending that we critics cannot be trusted to keep from the news-hounds at the front of the paper.

Imagine my surprise then, after being smuggled into Television Centre at dawn and sworn to 24 hours of secrecy, when *Absolutely Fabulous* (BBC1) turned out to be — or have — neither. True, part one on Wednesday night had been a disappointment, but I'd put that down to an early case of Christmas specialitis. You know, when all the characters do all sorts of things they wouldn't normally do and then sit around wondering why it's not funny any more. You don't? Well, you will in six weeks' time.

As for the shock horror ending, Edina running Saffy's big day hardly fits into that category. What was different about part two, however, was that it was funny, very funny. Not quite vintage *AbFab*, but not far off. Eddie and Patsy can stagger off into television history with our blessings, although given the inconclusive nature of the ending I don't think anyone should be surprised if they stagger back, yet again, one day.

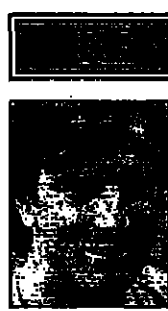
Perhaps the secrecy was to protect the glittering array of guest stars that had been assembled for this last hurrah. Or perhaps it was to spare us the disappointment that Lulu was not among them. Marcella Detroit giving the congregation *Oh Happy Day* was one thing, but a Lulu shout (impossible to capture in print) would have been quite another.

Who played God must have been a difficult decision, but in the end it was Marianne Faithfull who

shared Eddie's near-death experience (what did you talk about shopping, mainly?) while Christian Lacroix (the credits) made the wedding dress. Unwittingly he also provided one of the best jokes of the night, when Eddie waved a gaudy gold crucifix at the vicar. "Lacroix, darling."

With Saffy the wonderfully sincere Julia Sawalha) distracted by her male chauvinist intended and Mother (the wonderfully unpredictable June Whitfield) by visiting "snowbirds" (titanic elderly Americans, whose lifestyles, jokes and T-shirts appeared to have been borrowed from a recent documentary), the best support came from Kathy Burke as the foul-mouthed Magda and Mo'Gaffney as happy-clappy Bo.

Not that Jennifer Saunders and Joanna Lumley needed much sup-



Matthew Bond

port. I particularly liked the insights we were given into Patsy's hitherto closely guarded private life. Having her live above the Fulham Road branch of Oddbins (where else?) was inspired, but having her drink in Finch's was — for anyone who knows that fine establishment — fabulous. And I mean that absolutely.

Oliver Sacks would like Finch's — it's the sort of pub that a media-

friendly neurologist could turn into a television series in no time at all. In the meantime, however, he is making do very nicely with *The Mind Traveller* (BBC2), which two weeks into its run looks as if it will become an essential part of Thursday night.

Last night he confessed he was as interested in the person as he was in the disorder they suffered from, or, as he put it, "as drawn to the 'who' as I am to the 'what'". That pretty much describes how I react to the series, as drawn to Sacks and his gentle way with scientific observation as I am to the conditions he describes.

That said, last night's was a Lulu. Tourette's syndrome is a complex chemical disorder of the brain that causes sufferers to make sudden impulsive movements and noises. Despite the fact that a pharmaceutical "cure" is available, Shane, a Toronto-based artist, took nothing, "preferring the

full force of his condition, with all its disadvantages, to the dampened-down state induced by drugs". After 50 enlightening, entertaining (for all his problems Shane proved a very personable fellow) and exhausting minutes, you did rather wonder how bad *Shane* could be.

If Dr Sacks doesn't fancy Finch's, his presence would no doubt be much appreciated at the Queen Vic in *EastEnders*, where David has clearly moved into the terminal stages of Wicks's syndrome (a complex chemical disorder of the brain that causes sufferers to rush the nearest available female to the nearest available sofa-bed) and Joe is... well, barking. "He's got a lot on his mind at the moment," said Lorraine, as her son rocked to and fro in front of the television. Satan, Lucifer, Beebeeb, Grant Mitchell... the usual sort of thing.

No need, however, for neurologists or psychiatrists at Sun Hill, at least not while Inspector Monroe (Colin Tarrant) and The Bill (Mtv) are around. Monroe, you see, has his own way with the mentally unwell — he shouts at them. "Put down that knife," he bellowed at Alice Merchant, a woman capable of keeping an entire police station in work. "Sit down," he commanded, as she confessed to everything but hitting a male nurse over the head with a heavy-duty steering lock.

The Monroe approach, however, turned out to be the right one. For having invited us to believe that Alice's mental illness was caused by her brutal husband, it gradually became clear (insofar as anything happens gradually in *The Bill*) that she had crossed the divide and become truly mad, bad and deadly to know. NB. It was produced by my mother... bit alarming, really.

BBC1	
6.00am BUSINESS BREAKFAST (89514)	7.00am BBC BREAKFAST NEWS (Ceeftax) (10885)
9.00am BREAKFAST NEWS EXTRA (Ceeftax) (6472427)	9.20am STYLE CHALLENGE (s) (1672934)
9.45am KILROY (s) (8131408)	10.30am CANT COOK, WON'T COOK (s) (83330)
11.00am NEWS (Ceeftax), regional news and weather (2917021)	11.05am THE REALLY USEFUL SHOW (4353040)
11.45am SMILLIE'S PEOPLE (s) (6352382)	12.00am NEWS (Ceeftax), regional news and weather (4278021)
12.05am ALIAS SMITH AND JONES (Ceeftax) (2955868)	12.55am THE WEATHER SHOW (51242514)
1.00am NEWS (Ceeftax) and weather (13972)	1.30am REGIONAL NEWS AND WEATHER (14537750)
1.40am NEIGHBOURS (Ceeftax) (s) (24448750)	2.00am CALL BLUR (Ceeftax) (s) (8175)
2.30am PETER SEABROOK'S GARDENING WEEK (s) (866)	3.00am INCognito (s) (7882)
3.30am THE ANIMALS OF FARTHING WOOD (s) (Ceeftax) (s) (5295330)	3.55am DEAR MR BARKER (s) (3885021)
4.10am THE REAL ADVENTURES OF JONNY QUEST (Ceeftax) (s) (5842798)	4.35am GRANGE HILL (s) (Ceeftax) (s) (118558)
5.00am NEWS (Ceeftax) (6333055)	5.10am BLUE PETER (Ceeftax) (s) (2750205)
5.35am NEIGHBOURS (s) (Ceeftax) (s) (523040)	6.00am NEWS (Ceeftax) AND WEATHER (585)
6.30am REGIONAL NEWS MAGAZINES (175)	7.00am MUPPETS TONIGHT! The guest is Jason Alexander, from the cast of the American comedy series <i>Seinfeld</i> (Ceeftax) (s) (289353)
7.25am TOP OF THE POPS (Ceeftax) (s) (830458)	8.00am THIS IS YOUR LIFE Michael Aspel lays an ambush for another unsuspecting worthy (Ceeftax) (s) (8311)
8.30am KEEPING UP APPEARANCES Hyacinth decides that she and Richard need a new car (s) (Ceeftax) (s) (7448)	9.00am NEWS (Ceeftax), regional news and weather (8156)
9.30am DANGERFIELD An old friend of Dangerfield's father lands in trouble with the police when his dog bites a local boy. In an attempt to find the best way to help the man Dangerfield consults bereavement counsellor, Liz Moss for advice (Ceeftax) (s) (142552)	10.20am FILM: The Outlaw Josey Wales (1976) starring and directed by Clint Eastwood. A western drama about a farmer who turns vigilante when Union soldiers kill his wife and child and destroy his property (27765137) WALES: <i>Satellite City</i> 10.50am FILM: The Outlaw Josey Wales (1976) starring and directed by Clint Eastwood. A western drama about a farmer who turns vigilante when Union soldiers kill his wife and child and destroy his property (27765137)
12.35am FILM: Dr. Giggles (1992) starring Larry Drake. A horror movie about a deranged heart surgeon. Directed by Manny Coto (1227763)	2.00am WEATHER (7397002)

VideoPlus+ and the Video PlusCode
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BBC2

6.00am OPEN UNIVERSITY: THE NORTH SEA: MANAGING THE COMMON POOL (2718601) 6.25 THE BLACK TRIANGLE (2704408) 6.50 RISING ARMS AGAINST AIR POLLUTION (2431578) 7.15 BREAKFAST NEWS (5563888) 7.30 ALVIN AND THE CHIPMUNKS (4231243) 7.55 SMART GANG (1818953) 8.25 SPIDER (5049493) 8.35 THE RECORD (8072158) 9.00 FRENCH EXPERIENCE (5489717) 9.15 THE ECONOMIC COLLECTION (897953) 9.45 WATCH (6332412) 10.00 PLAYDAYS (71408) 10.30 WHAT? WHERE? WHEN? WHY? (3002798) 10.45 REVISTA (3003553) 11.00 LOOK AND READ (5233522) 11.20 SHORT CIRCUIT (7295156) 11.40 ENGLISH TIME (6375243) 12.00 ENGLISH FILE (78224) 12.30pm WORKING LUNCH (83345) 1.00 SCENE ALISON (11514) 1.30 TECHNOLOGY STARTERS (1455972) 1.45 WORDS AND PICTURES (1455427) 2.00 THE GREEDY SAURUS GANG (4885704) 2.05 SPIDER (4885311)

2.10 SPORT ON FRIDAY (582243)

3.55am NEWS and weather (5011427)

4.00 TODAY'S DAY (s) (208) 4.30 READY, STEADY, COOK (s) (972) 5.00 ESTHER (s) (708) 5.30 GOING, GOING, GONE (s) (224)

6.00 SLIDERS (s) (422359)

6.40 ELECTRIC CIRCUS (s) (58382)

6.55 ROCKY STAR (s/w) (303308)

7.00 HERAG THE HERRING GULL (Ceeftax) (281595)

7.45 ONE MAN AND HIS DOG The Young Handlers' trophy from Combermere in Shropshire (Ceeftax) (s) (276088)

8.30 THE ENGLISH COUNTRY GARDEN Folly Farm in Berkshire is a fine example of the Edwardian garden and Grade I-listed partnership (Ceeftax) (s) (5088)

Balinda Carlisle guests (8pm)

9.00 SHOOTING STARS Celebrity quiz show (s) (Ceeftax) (5798)

9.30 ALL RISE FOR JULIAN CLARY Address Nerys Hughes is in the dock for being too nice and The Sun newspaper is subjected to a ruthless once-over (Ceeftax) (s) (23333)

10.00 HAVE I GOT NEWS FOR YOU Joining the regulars this week are Vince Harris and Tony Hawks (s) (79953)

10.30 NEWSNIGHT (Ceeftax) (604089)

11.15 THE FORCE The best of black entertainment (s) (5255021)

1.20-2.50 FILM: Samba Tereza (1982) With Bakary Sangare. After participating in a robbery, Samba Tereza hides out in his village, but it is only a matter of time before the truth is uncovered. Directed by Kérékou Coulibaly. In the African language Bambara with English subtitles (s) (584848)



Belinda Carlisle guests (9pm)

Channel 4

Faith in the Future
ITV, 8.30pm

If British sitcoms are your choice of chorle then this second series of the spin-off from *Second Thoughts* is for you. The excellent Lynda Bellingham reprises her role as the newly divorced Faith, whose attempts to make the most of her sexual freedom are continually being sabotaged by her deadlocked daughter, Hannah (Julia Sawalha). The way both women tackle the thorny problems of their sex lives and their own relationship is the hook on which the slickly written jokes are hung. Fast pacing in both punchlines and action make for a well-made sitcom with a better-than-average humour quotient. In the first episode Faith returns from her first night of passion with fellow teacher Paul (Jeff Rawle) and is less than thrilled with the lack of Richter-scale earth movements. Meanwhile, Hannah is still trying to rid herself of the loveless Jools, played by Simon Pegg.

Shooting Stars
BBC2, 9.00pm

Vic Reeves and Bob Mortimer are a canny pair. They know how to make great popular culture by mercilessly sending it up and yet still retaining a deep affection for it. Their sense of humour is an acquired taste being in three parts surreal to one part slapstick, but it is enough to have garnered them a devoted following. Their regular team captains on this piece of daftness are willing stooges, DJ Mark Lamarr and Ulrika Jonsson. Usually, the electric guests are not required to do much other than contribute their names and reputations and answer questions that have no basis in reality whatsoever. Falling into the regular categories, the guests tonight are singer Belinda Carlisle (today), Reg Presley of the Troops and crop circles expert Dr. Ian R. Williams. Also appearing are comedian Tim Brooke-Taylor (today) and Dennis Pinnis (young and trendy).

Staying Alive
ITV, 9.00pm

Staying awake probably would be a better title for it. The second part of this drama about five student nurses would have been better entitled as an episode of an Australian soap. Certainly there is not enough to sustain the interest over an hour but perhaps a bit of judicious cutting would have made a half-way decent programme. The characters are straight out of central casting — the raunchy one, the virgin one, the token male, the battered wife and the psycho. The storyline follows the personal lives of these five as they try to cope with living in a cockroach-infested nurses' hostel and the rigours of being near the bottom of the NHS pecking order. In this episode, Mick is getting over the suicide attempt but she is obviously still one very sick young lady.

Fraser
Channel 4, 10.00pm

No apologies for yet again featuring the jewel in Channel 4's comedy crown as *Fraser* just keeps on getting better and better. The sophisticated standard of comedy is so high to begin with, it is high on top of that, it is high on top of that, it is high on top of that. This week, Seattle's favourite radio agony uncle is required to confront his own demons. In other words, a case of psychiatrist, shrink himself. He takes possession of an antique chess set and, in his glowing self-congratulation, challenges his bull-colour dad to a friendly game. Unfortunately for Fraser's ego, Martin turns out to be a natural and Fraser is driven to the point of manic obsession in his attempts to beat him. Camp, clever, brilliant, written and played by everybody (including the dog). Frances Lass

HTV	
6.00am GMTV (1081601)	9.25am SUPERMARKET SWEEP (Teletext) (s) (180853)
9.55am REGIONAL NEWS (2409750)	10.00am THE TIME... THE PLACE (88934)
10.30am THIS MORNING (2406156)	12.20pm REGIONAL NEWS (4274205)
12.30am NEWS and weather (Teletext) (4340175)	12.55am MURDER, SHE WROTE (s) (4497868)
2.00am HOME AND AWAY (Teletext) (s) (5747357)	2.25am CROSS WITS (Teletext) (s) (5748531)
2.50am YAN CAN COOK — THE BEST OF CHINA (8298001)	3.20am NEWS (Teletext) (4308068)
3.25am REGIONAL NEWS (4300040)	3.30am JAYS' WORLD (800330) 3.40am THE ADVENTURES OF DANWILE (s) (3897588) 3.55am OSCAR AND FRIENDS (5008953) 4.00am SNUG AND COZI (4495175) 4.15am HURRICANE (5836137) 4.40am FUN HOUSE (Teletext) (s) (4387158)
5.10am COUNTRY PRACTICE (s) (7885885)	5.40am NEWS (Teletext) and weather (988778)
6.00am HOME AND AWAY (s) (Teletext) (s) (188514)	6.25am HTV NEWS (Teletext) (787798)
7.00am CATCHPHRASE Hosted by Roy Walker (Teletext) (s) (4358)	7.30am CORONATION STREET Flora has an admirer at the nightclub, while Rachel waits to hear if she has got the job (Teletext) (427)



Carver uncovers a secret (8pm)

CENTRAL	
As HTV West except:	12.55pm HOME AND AWAY (4325866)
1.25am CROSS WITS (3988186)	1.55am A COUNTRY PRACTICE (24452953)
5.10-5.40 SHORTLAND STREET (7885885)	6.25-7.00am CENTRAL NEWS (787798)
10.40am CENTRAL WEEKEND (6502882)	12.05am SLEDGE HAMMER (4107825)
12.35am ALFRED HITCHCOCK (8834880)	1.00am COMEDY CENTRAL (584880)
2.00am THE GOOD SEX GUIDE... LATE (18847)	3.00am CYBERCAFE (6748942)
3.25am HELLER SHELTER (729847)	4.15am JOBBINDER (5369441)
As HTV West except:	12.55am CORONATION STREET (4325866)
1.25-1.55am CROSS WITS (3988186)	1.55am HOME AND AWAY (23135427)
2.25am HIGH ROAD (5747863)	2.55-3.20am GARDENERS' DIARY (1841717)
5.10-5.40 HOME AND AWAY (7885885)	6.00-7.00am WESTCOUNTRY NEWS (988663)
10.40am WESTCOUNTRY NEWS (988663)	10.45am HUNTER (739798)
11.45am HIGHLANDER (739798)	5.00am FREESCREEN (75373)
As HTV West except:	12.55pm-1.25am CROSS WITS (4325866)
1.25am HOME AND AWAY (3988186)	1.55am JUSTICE OF THE LAND (24452953)
5.10-5.40 SHORTLAND STREET (7885885)	6.25am ANGLIA WEATHER (901345)
6.30-7.00am ANGLIA NEWS (243)	10.40am FILM: TOTAL RECALL (72987175)

CHANNEL 4

- 6.30am WONDERFUL WIZARD OF OZ (75224)
- 7.00 THE BIG BREAKFAST (70345)
- 9.00 HERE'S ONE I MADE EARLIER (83158)
- 9.30 SCHOOLS: EUREKA! 9.45 STOP, LOOK, LISTEN 10.00 FOURWAYS FARM 10.10 TVM 10.25
- TECHNOLOGY PROGRAMME 10.40 OFF LIMITS 11.05 ROBERT BURNS 11.20 STAGE ONE 11.35 SCHOOLS AT WORK 11.40 HOW WE USED TO LIVE (448427)
- 12.00 GARDEN DOCTORS (r) (Televised) (63382) 12.30pm BACKDATE (r) (Televised) (s) (61663) 1.00 SESAME STREET (29448) 2.00 TO THE SHORES OF IWO JIMA (6439669)
- 2.20 FILM: Blues in the Night (1941, b/w) Musical melodrama. A jazz quintet inadvertently become involved with a mobster and her conniving moll. With Richard Whorf and Priscilla Lane. Directed by Anatole Litvak (Televised) (76327)
- 4.00 FIFTEN-TO-ONE (Televised) (s) (156) 4.30 COUNTDOWN (Televised) (s) (840) 5.00 CUTTING EDGE: Great Housewives (r) (Televised) (s) (4972)
- 6.00 TFI FRIDAY Tonight's guests include Harry Enfield (s) (38222)
- 7.00 CHANNEL 4 NEWS (Televised) (805953)
- 7.55 THE SLOT (88301)
- 8.00 GARDEN DOCTORS Last in the series. Dan Pearson and Steve Bradley return to Sarah Morgan and Oliver Ashby's Buckinghamshire garden to see how their project to reclaim their stone cottage from the surrounding wilderness is progressing (Televised) (s) (1021)
- 8.30 BROOKSIDE Will Julie's despair ever end? (Televised) (s) (8478)
- 9.00 CAROLINE IN THE CITY A balloon float in Caroline's honour in the Thanksgiving Parade fills her with pride, until it breaks loose and causes havoc (Televised) (s) (1866)

Jennifer Aniston as Rachel (9.30pm)

- 9.30 FRIENDS Rachel's parents unexpectedly show up at her birthday party (Televised) (s) (11427)
- 10.00 FRASIER: Cheers - Pairs (Televised) (s) (64021)
- 10.30 RORY BRENNER - WHO ELSE? (Televised) (s) (608885)
- 11.10 TFI FRIDAY (r) (s) (239069)
- 12.15am FILM: The Lair of the White Worm (1986) Tongue-in-cheek horror directed by Ken Russell and starring Anna Dushane and Hugh Grant (s) (228335)
- 1.55 FILM: The Reptile (1966) Classic Hammer horror directed by John Gilling (505335)
- 3.35 FILM: Ebrah, Horror of the Deep (1986) Godzilla and Mothra save the world from a giant crab. Directed by Jun Fukuda (448000)



Jennifer Arleton as Rachel (9.30pm)

SKY 1	
7.00am Love Connection (3759158) 7.30am The Love Connection (3759158) 8.00am Another World (583585) 8.45am Oprah Winfrey (5842238) 9.00am Real TV (581355) 11.10am Sally Jessy Raphael (9455241) 12.00am Gerardo (30576) 1.00pm One to One (30173) 2.00pm Jerry Bruckheimer (30173) 3.00pm Oprah Winfrey (5842238) 4.00pm Star Trek: The Next Generation (4750) 5.00pm Now Adventure of Superman (65388) 7.00pm Simpson (3779) 7.30pm MASH (8505) 8.00pm MASH (8505) 9.00pm MASH (8505) 10.00pm MASH (8505) 11.00pm MASH (8505) 12.00pm MASH (8505)	7.00am Love Connection (3759158) 7.30am The Love Connection (3759158) 8.00am Another World (583585) 8.45am Oprah Winfrey (5842238) 9.00am Real TV (581355) 11.10am Sally Jessy Raphael (9455241) 12.00am Gerardo (30576) 1.00pm One to One (30173) 2.00pm Jerry Bruckheimer (30173) 3.00pm Oprah Winfrey (5842238) 4.00pm Star Trek: The Next Generation (4750) 5.00pm Now Adventure of Superman (65388) 7.00pm Simpson (3779) 7.30pm MASH (8505) 8.00pm MASH (8505) 9.00pm MASH (8505) 10.00pm MASH (8505) 11.00pm MASH (8505) 12.00pm MASH (8505)
SKY 2	
7.00pm Star Trek: Deep Space Nine (44255) 8.00pm Star Trek: Deep Space Nine (44255) 9.00pm MASH (8505) 10.00pm MASH (8505) 11.00pm MASH (8505) 12.00pm MASH (8505)	7.00pm Star Trek: Deep Space Nine (44255) 8.00pm Star Trek: Deep Space Nine (44255) 9.00pm MASH (8505) 10.00pm MASH (8505) 11.00pm MASH (8505) 12.00pm MASH (8505)
SKY NEWS	
Worldwide news coverage with bulletins on the hour 24 hours a day, seven days a week.	Worldwide news coverage with bulletins on the hour 24 hours a day, seven days a week.
SKY MOVIES	
6.00pm James T. Kirk for Love Alone (1994) (1997) 8.00pm The Only Game in Town (1969) (5977) 10.00pm The Longest Day (1962) (5955) 12.00pm The Longest Day (1962) (5955) 1.00pm The Longest Day (1962) (5955) 2.00pm The Longest Day (1962) (5955) 3.00pm The Longest Day (1962) (5955) 4.00pm The Longest Day (1962) (5955) 5.00pm The Longest Day (1962) (5955) 6.00pm The Longest Day (1962) (5955) 7.00pm The Longest Day (1962) (5955) 8.00pm The Longest Day (1962) (5955) 9.00pm The Longest Day (1962) (5955) 10.00pm The Longest Day (1962) (5955) 11.00pm The Longest Day (1962) (5955) 12.00pm The Longest Day (1962) (5955)	6.00pm James T. Kirk for Love Alone (1994) (1997) 8.00pm The Only Game in Town (1969) (5977) 10.00pm The Longest Day (1962) (5955) 12.00pm The Longest Day (1962) (5955) 1.00pm The Longest Day (1962) (5955) 2.00pm The Longest Day (1962) (5955) 3.00pm The Longest Day (1962) (5955) 4.00pm The Longest Day (1962) (5955) 5.00pm The Longest Day (1962) (5955) 6.00pm The Longest Day (1962) (5955) 7.00pm The Longest Day (1962) (5955) 8.00pm The Longest Day (1962) (5955) 9.00pm The Longest Day (1962) (5955) 10.00pm The Longest Day (1962) (5955) 11.00pm The Longest Day (1962) (5955) 12.00pm The Longest Day (1962) (5955)
SKY SPORTS 1	
7.00pm Sports Centre (7035) 7.30pm World Wrestling Federation: Superstars (52940) 8.00pm Racing News (57405) 8.30pm Sports Centre (11088) 9.00pm Sports Centre (11088) 9.30pm Sports Centre (11088) 10.00pm Sports Centre (11088) 10.30pm Sports Centre (11088) 11.00pm Sports Centre (11088) 11.30pm Sports Centre (11088) 12.00pm Sports Centre (11088)	7.00pm Sports Centre (7035) 7.30pm World Wrestling Federation: Superstars (52940) 8.00pm Racing News (57405) 8.30pm Sports Centre (11088) 9.00pm Sports Centre (11088) 9.30pm Sports Centre (11088) 10.00pm Sports Centre (11088) 10.30pm Sports Centre (11088) 11.00pm Sports Centre (11088) 11.30pm Sports Centre (11088) 12.00pm Sports Centre (11088)
THE MOVIE CHANNEL	
6.00am Against All Flags (1932) (47171)	6.00am Against All Flags (1932) (47171)

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AMERICAN FOOTBALL 41

Why playing for
New York Jets is
no laughing matter

SPORT

FRIDAY NOVEMBER 8 1996

CRICKET 46

Sussex in turmoil
as Wells seeks
to join exodus



SFA demands answers of Johansson

Scotland face replay of Estonia farce

By KEVIN MCCARRA

ESTONIA faced grave charges in Zurich yesterday, but it was Scotland who were punished as Fifa, football's world governing body, investigated the aborted World Cup qualifying match between the nations in Tallinn on October 9.

The game did not take place after the Estonian side failed to turn up. The kick-off, to their dissatisfaction, had been brought forward by four hours when Fifa stated, on the morning of the game, that temporary floodlighting at the Kadrioru Stadium was inadequate.

The World Cup organising committee decided yesterday that the tie is to be replayed. It had initially been expected that Scotland would simply be awarded a 3-0 victory, a verdict stipulated in Fifa regulations when one team does not appear. There were even suggestions that Estonia might be expelled from the tournament.

In the event, it was Scotland who suffered. They have been informed that Gary McAllister, their captain, is to be

suspended for the World Cup tie with Sweden at Ibrox on Sunday, a ban that was supposed to have been served against Estonia, but it is now being applied to the next fixture instead.

It can be argued that, in the extraordinary circumstances, it would be fairer to link the suspension to the restaged match with Estonia, which must be played by March 16.

Kicking and Screaming - 44
Collymore on carpet - 44
Bust blow - 44

1997. While the Scottish Football Association (SFA) publicly evinced a law-abiding acceptance of Fifa's verdict, there is, in private, a great deal of discontent.

Its focus is Lennart Johansson, who chaired the organising committee meeting in Zurich. He is a Swede. The SFA will seek to discover whether he participated in discussions on a topic of great concern to his own nation.

After the farce in Tallinn last month, he had told a television interviewer that Estonia's game with Scotland should be replayed.

So public a comment, before the matter had been debated, does, at best, look premature. "Everyone knows that football is a game of opinions, but some of us do not voice them because of the positions we hold," Jim Farry, the SFA chief executive, said in a tart rebuke of Johansson, who is president of Uefa, the European governing body, as well as a vice-president of Fifa.

"If the committee was chaired by one of our rivals in the group, then the Fifa protocol may need to be re-examined," Farry also remarked. Sweden had been troubled by the idea that Scotland might be given that notional 3-0 victory, and three points, without earning them. Estonia, though, have met with extraordinary sympathy.

Fifa was persuaded that the late alteration of the kick-off time created an extenuating circumstance. "We stated clearly our reasons for not arriving for the rearranged game, saying we were concerned about security and that our players were 80 kilometres away from the ground," explained Ainar Leppanen, general secretary of the Estonian Football Association, who considered yesterday's decision "a fair judgment."

Farry is sceptical of the Estonian claims. "Within ten minutes of hearing that the kick-off had been changed," he said, "we had organised six or seven buses to get people to the stadium from various points of the compass. It seems that the Estonian FA couldn't find a single bus to carry their team. We could have loaned them one of ours. We had the will to comply with Fifa's ruling."

The Estonians could face some form of sanction at a meeting of Fifa's disciplinary committee on November 23, but the ruling body seems ready to have accepted that its own belated alteration to the kick-off time must take much of the blame for producing the fiasco.

Restaging the fixture will create problems. Farry pointed out that Fifa has recently listed permanent floodlight installations among the criteria for stadiums used in World Cup ties. Wintery weather, too, may make a return to Tallinn impossible and the Estonians have already suggested that the game might go ahead in Finland or even Cyprus.

Fifa will meet Scotland's considerable expenses. These would presumably include even such items as the £300 of appearance money paid to each player selected for the match. Farry calculates that taking around 100 people, including players, officials and journalists, to Estonia last month cost £70,000.

For at least three of the England players, the World Cup qualifying match, at the Boris Paichadze stadium, on Saturday night also represents a major window in their lives. Andy Hinchcliffe, the Everton defender, is gradually convincing Glenn Hoddle, the England coach, that, at 28, he provides the right balance of industry, reliability and a left foot that England, under Terry Venables, lacked.



Hoddle remains tight-lipped about his team selection for England's match against Georgia as he faces the press yesterday

Wright fits the bill for Hoddle

FROM ROB HUGHES
FOOTBALL CORRESPONDENT
IN TBILISI

THE England team, preparing for the hundredth World Cup game in their country's history, are seeing the other side of life. In Tbilisi, the capital of Georgia, which is emerging from civil war, they experienced periodic power cuts and an inability to receive phone calls from home.

They are lucky. If they took in what they were looking at through the windows of their bus to training yesterday, they will have gleaned that this is a city with 200,000 street children and only one orphanage accommodating 100. Yet the stadium where they went through their routines yesterday represents resurrection.

After 15 years of neglect and dereliction, the Lokomotiv club is being purchased and put back into service by Georgi Kinkladze, the Georgia international. It is a bare and forlorn arena in a once beautiful mountain city: it is costing one quarter of each monthly pay packet of the £20,000 per month Kinkladze earns from Manchester City.

For at least three of the England players, the World Cup qualifying match, at the Boris Paichadze stadium, on Saturday night also represents a major window in their lives. Andy Hinchcliffe, the Everton defender, is gradually convincing Glenn Hoddle, the England coach, that, at 28, he provides the right balance of industry, reliability and a left foot that England, under Terry Venables, lacked.

Ian Wright, the Arsenal striker, continues to excite Hoddle with his fire, his touch and his enthusiasm and is closer than ever to reclaiming an England shirt at 33. And Matthew Le Tissier, of Southampton, begins to look, in England company, like the player of flair and confidence that Hoddle, unlike Venables, wishes to trust.

Hoddle will not name a side until shortly before kick-off, yet the signals that were sent out at the Lokomotiv stadium are clear enough for this trio.

"The boy is on fire, he's as good as anything in the Premiership," Hoddle intones on a daily basis about Wright. "I would have liked to have seen him when he was 23-24. He's as sharp as a razor, he's good to have around, he's kept his body extremely fit, and he has great awareness of where to run off the ball, plus a killer instinct." Of Hinchcliffe, Hoddle insisted: "He's given us a nice balance. I think



Wright: in good form

that he has to try to win Hoddle over. "You would expect that," Hoddle responded. "Terry was his club manager [at Tottenham Hotspur]. Let's face it, it was taken out of his [Sheringham's] hands and mine when Teddy was injured before the first game."

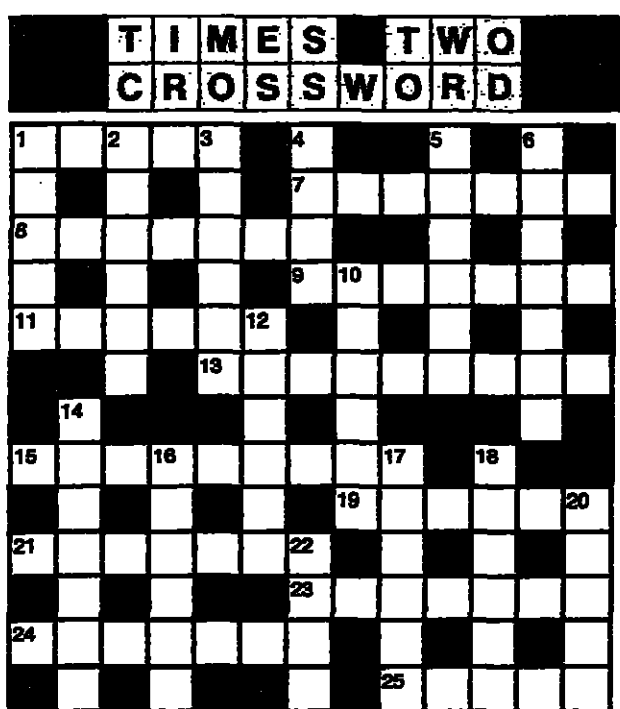
And the prospects of Le Tissier, the player discarded without real opportunity under the Venables regime? "A lot of eyebrows were raised when I brought him in," Hoddle said. "I like to think one of the reasons why [Le Tissier] has turned his form around at Southampton is the big boost to his confidence now that England want him. He has wonderful skill, he has his form back [six goals in six games] and the area where he's going to hurt opposing sides is in and around the

penalty area." Words, but not promises. International football these days concerns the inner game of coaches trying to lay false trails for one another. Alexander Chivadze, one of the finest liberos in world football, has emerged from Dynamo Tbilisi to pull the strings of his country's highly technical, though perhaps not potent, new generation.

Hoddle and Chivadze performed with finesse but both know that pragmatism is a prerequisite to survival. On Wednesday, Italy lost 2-1 to Bosnia: it looks like awarded Arrigo Sacchi, the Italy coach and the highest paid in world football. "It's intriguing, isn't it?" Hoddle observed. "It shows there really isn't an easy game anywhere."

As the left wing back in England's adopted style of 3-5-2, Hinchcliffe believes he has to be one of the fittest players on the pitch and adaptable, too, especially when the opponents switch to 4-4-2, as Georgia probably will. But Hinchcliffe is settled, at least until Graeme Le Saux recovers from to make a challenge. One cannot say the same of two of Venables' favourites: Gascoigne, training industriously but still without expression or joy, may not be risked here after all, and Sheringham is fretting on the fringes.

Sheringham suggested yesterday that he always knew Venables liked him "as a bloke to have around", and senses



No 934

ACROSS

- 1 Son of Isaac: a sheep (5)
- 7 Partially coincide (7)
- 8 Give tyre new tread (7)
- 9 Requiring effort (7)
- 11 Centre/circumference line (6)
- 13 Tax on legal document (5,4)
- 15 Informal collection (4,5)
- 19 Large, inelegant helping (6)
- 21 Outer clothing (arch.) (7)
- 23 Vital part (7)
- 24 Athletics spear (7)
- 25 Christened (5)

DOWN

- 1 Trial panelist (5)
- 2 Light-hearted play (6)
- 3 The noblest Roman of them all (U) Caesar (6)
- 4 Final part (of piece of music) (4)
- 5 Roughly: vaguely present (6)
- 6 Vacuous, complacent remark (7)
- 10 Help (one) remember (6)
- 12 Carass: a blow (6)
- 14 Pedlar: Keats read his Homer (7)
- 16 Body orbiting sun (6)
- 17 Ernest —, Cynara poet (6)
- 18 Full meeting (of eg legislature) (6)
- 20 Beg: argue case (5)
- 22 Give temporarily (4)

The solution to 933 will be published Wednesday, November 13

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